Cummulative Report of Lynchings for Years 1939-1951

F. D. PATTERSON, PRESIDENT

L. H. FOSTER, JR., BUSINESS MANAGER

Tuskegee Institute

FOUNDED BY BOOKER T. WASHINGTON, 1881

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December 31, 1952

Please do not release until December 31, 1952

Dear Sir:

Continuously since 1913, Tuskegee Institute has issued an annual report to the nation on the subject of lynching, thus spotlighting public attention on this national problem. For the period, 1913-1952, our records show 896 cases of lynching, broken down by decades as follows:

Lynchings By Decades 1913-1952

Years	Number	Percent
1913-1922	597	66.6
1923-1932	175	19.5
1933-1942	103	11.5
1943-1952	21	2.3
Total	896	100.0

Tuskegee Institute has no lynchings, as such, to report for 1952, according to criteria used in our Department of Records and Research. This is the first time such a report has been made in the 70 years of lynching record keeping, 1882-1952. The 5 years, 1948-1952, show a total of 8 cases.

One case of "Lynchings Prevented" was listed. From Columbia, South Carolina came the report that in March of this year the relatives of a 16-year-old Negro school girl had to talk fast to keep about 50 men from storming the county jail and lynching William Felder, about 28, who allegedly shot the young student to death, after a rape attempt. We find that even where officers of the law have been brave enough to thwart mob action, in some cases they prefer not to make this fact known. The term "lynching" is becoming more and more unpopular.

However, in this our 40th annual report, it appears important to the welfare of the country to state that while lynching as one form of extra-legal punishment seems to be steadily declining, other rather similar forms of violence and lawlessness have not declined. Indeed, there appears to be too many cases of unnecessary brutality and killings by officers of the law of persons suspected or guilty of crimes; and a resurgence of the mob spirit as expressed in beatings, floggings, incendiarism, bombing and the like.

In a report as brief as this, it is not possible to present data on all of these patterns of violence, but we think it pertinent to focus attention upon at least one of them, the use of the bomb.

BOMBINGS AND ATTEMPTED BOMBINGS. During the past few years, these activities have been directed against homes, schools, religious and other community institutions. As they relate to Negroes, bombing of homes and other property has taken place mainly where members of the race have moved or attempted to move into what were considered white neighborhoods. In a few cases, bombing has occurred where Negro leaders were thought to be too active in improving the status of their people.

In regard to religion, Jewish religious and welfare institutions and at least one Catholic church have been the targets. Homes and property of other whites, who in one way or another had incurred the enmity of the bombers, have not been exempt from blasts.

The potential for destruction of life and property by this form of violence is incalculable. To-date, two lives have been snuffed out--that of Mr. and Mrs. Harry T. Moore of Mims, Florida on December 25, 1951. Occupants of other bombed homes have been more fortunate and no fatalities have been reported from houses of religious worship. Only chance has kept human casualties low, although property destruction has been high.

Bombing is confined to no section of the country. Recently, it has become more prevalent in the South. While the data presented below are not intended to be a complete coverage of all cases of bombing (those connected with strikes and other labor disputes are not included here) they are indicative of the big task of education in human relations still to be accomplished in our democracy.

For the 4 years, 1949-1952, at least 68 instances of bombing or attempted bombing were recorded, connected in the main with racial and religious tensions: 49 of these were directed against Negroes; 10 against whites and public institutions; at least 8 against Jewish synagogues, schools and community centers and 1 against a Catholic church.

Bombings have happened in the following places: ALABAMA--Birmingham, Crossville, Cottonwood, Dothan, Phenix City; CALIFORNIA--Los Angeles; FLORIDA--Bartow, Jacksonville, Orlando, Miami, Mims; GEORGIA--Atlanta, Bainbridge, Rome; LOUISIANA--New Orleans; MISSOURI--Kansas City; ILLINOIS--Cairo, Chicago; OHIO--Warren; NORTH CAROLINA--Charlotte, Oxford; PENNSYLVANIA--Philadelphia; TENNESSEE--Chattanooga, Nashville; TEXAS--Dallas; VIRGINIA--Ashland, Norfolk.

This makes a total of 13 states and 27 cities and towns.

Very truly yours,
F. D. Patterson
President

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L. H. FOSTER, PRESIDENT

H. K. LOGAN, BUSINESS MANAGER

Please Do Not Release Until
December 31, 1953

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FOUNDED BY BOOKER T. WASHINGTON, 1881

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F. D. PATTERSON
PRESIDENT EMERITUS

December 31, 1953

Dear Sir:

According to criteria used in the Department of Records and Research, Tuskegee Institute, for the second consecutive year, has no lynchings to report. The 5 years, 1949-1953, show a total of 6 lynchings.

Lynchings Prevented. However, in at least 3 instances lynchings were prevented. Reports on these follow:

On January 17, near Mobile, Alabama, Henry Lee Brown, 17 year old Negro, escaped from Sheriff's deputies while being taken to Kilby Prison at Montgomery. Convinced that he was about to be lynched when his handcuffs were removed and the deputies stopped their cars, the prisoner jumped from the car in which he rode and ran into the swamps, while shots were fired at him. He later gave himself up, was tried and acquitted of the charge of slaying a white woman.

In March, near Willcox, Arizona, Arthur Thomas, 29 year old Negro migrant cotton worker, accused of murdering a white woman storekeeper, was saved from lynching by an officer of the law.

On May 24, at New York City, Edward Cartagena, 42 year old Puerto Rican, was rescued from a mob by two umpires of a baseball game and the mounted police. Before several hundred persons watching the game in Central Park, Cartagena stabbed his estranged common-law wife to death. Players and spectators tried to kill him.

New Index to Race Relations to be Issued. Lynching as traditionally defined and as a barometer for measuring the status of race relations in the United States, particularly the South, seems no longer to be a valid index to such relationships. This is due to significant changes in the status of the Negro and to the development of other extra-legal means of control, such as bombings, incendiarism, threats and intimidation, etc.

We believe that a new standard for measuring race relations is needed. This can and should be as objective and as factual as were the lynching reports. This standard, we think, can best be established in such areas as employment and other economic conditions; in political participation; in education; in law and legislation; in health and perhaps in other fields.

We propose then, in future annual releases, to issue a statement with information as significant for the present times as was the Annual Lynching Letter in the past.

The Department of Records and Research, which has recorded lynchings for the last forty-one years, will continue to do so and will furnish such information to those who may request it.

Very truly yours,

L. H. Foster

L. H. Foster
President

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March 9, 1956

LYNCHING REPORTS BEGINNING JANUARY 1939

NAME	RACE	CITY	COUNTY	STATE	DATE
		1939			
Miles W. Brown	N	Panama City	Bay	Florida	4-1-39
Lee Snell	N	Daytona Beach	Volusia	Florida	3-31-39
Joe Rodgers	N	Canton	Madison	Mississippi	5-8-39
		1940			
Jesse Thornton	N	Luverne	Crenshaw	Alabama	6-22-40
Sarah Rawls	N	Atlanta	Fulton	Georgia	3-2-40
Denton Ford	N	Atlanta	Fulton	Georgia	3-2-40
Ike Gaston	W	Atlanta	Fulton	Georgia	3-6-40
Austin Calloway	N	LaGrange	Troup	Georgia	9-7-40
Elbert Williams	N	Brownsville	Haywood	Tennessee	6-20-40
		1941			
A.C. Williams	N	Quincy	Gadsen	Florida	5-13-41
Robert Sapp	N	Blakely	Early	Georgia	5-6-41
Robert Melker	N	(near Cherryville)	Gaston	North Carolina	4-13-41
Bruce Tisdale	N	Andrews	Georgetown	South Carolina	2-15-41
		1942			
Ernest Green	N	Shubata	Clarke	Mississippi	10-12-42
Charles Lang	N	Shubata	Clarke	Mississippi	10-12-42
Howard Washington	N	Laurel	Jones	Mississippi	10-17-42
Cleo D. Wright	N	Sikeston	Scott	Missouri	3-7-42
Willie Vinson	N	Texarkana	Bowie	Texas	7-13-42
		1943			
Cellos Harrison	N	Marianna	Jackson	Florida	6-7-43
Robert Hall	N	Newton	Baker	Georgia	6-29-43 or 6-30-43
Unnamed Soldier	N	Lewistown	Fulton	Illinois	11-7-43
		1944			
James T. Scales	N	Pikeville	Bledsoe	Tennessee	11-23-44
Isaac Simmons	N	Liberty	Amite	Mississippi	3-26-44
		1945			
Jesse James Payne	N	Madison	Madison	Florida	10-12-45
		1946			
Leon McTatie	N	Lexington	Holmes	Mississippi	7-22-46
Roger Malcolm	N	Monroe	Walton	Georgia	7-25-46
Dorothy Malcolm	N	Monroe	Walton	Georgia	7-25-46
George Dorsey	N	Monroe	Walton	Georgia	7-25-46
Mae H. Dorsey	N	Monroe	Walton	Georgia	7-25-46
John C. Jones	N	Minden	Webster	Louisiana	7-8 -46

NAME	RACE	CITY	COUNTY	STATE	DATE
		1947			
Willie Earle	N	Pickens	Pickens	South Carolina	2-17-47
		1948			
William H. Turner	N	?	Coweta	Georgia	4-20-48
Robert Mallard	N	Lyons	Toombs	Georgia	11-20-48
		1949			
Caleb Hill	N	Irwinton	Wilkinson	Georgia	5-30-49
Malcolm Wright	N	Houston	Chickasaw	Mississippi	7-9-49
Hollis Riles	N	Bainbridge	Decatur	Georgia	9-3-49
		1950			
Charlie Hurst	W	Pell City	Clair	Alabama	2-22-50
Jack Walker	N	Gay	Meriwether	Georgia	8-18-50
		1951			
Melvin Womack	N	Winter Garden	Orange	Florida	3-31-51
		1952			
		1953			
		1954			

1939

NAME	RACE	CITY	COUNTY	STATE	DATE
Miles W. Brown	W	Panama City	Bay	Florida	4-1-39
Lee Snell	N	Daytona Beach	Volusia	Florida	3-31-39
Joe Rodgers	N	Canton	Maddison	Mississippi	5-8-39

1940

NAME	RACE	CITY	COUNTY	STATE	DATE
Jesse Thornton	N	Luverne	Crenshaw	Alabama	6-22-40
Sarah Rawls	W	Atlanta	Fulton	Georgia	3-2-40
Denton Ford	W	Atlanta	Fulton	Georgia	3-2-40
Ike Gaston	W	Atlanta	Fulton	Georgia	3-6-40
Elbert Williams	N	Brownsville	Haywood	Tennessee	6-20-40
Austin Calloway	N	LaGrange	Troup	Georgia	9-7-40

1941

NAME	RACE	CITY	COUNTY	STATE	DATE
Bruce Tisdale	N	Andrews	Georgetown	South Carolina	2-15-41
Robert Melker	N		Gaston	North Carolina	4-13-41
Robert Sapp	N	Blakely	Early	Georgia	5-6-41
A. C. Williams	N	Quincy	Gadsen	Florida	5-13-41

1942

NAME	RACE	CITY	COUNTY	STATE	DATE
Ernest Green	N	Shubata	Clarke	Mississippi	10-12-42
Charles Lang	N	Shubata	Clarke	Mississippi	10-12-42
Howard Washington	N	Laurel	Jones	Mississippi	10-17-42
Cleo D. Wright	N	Sikeston	Scott	Missouri	3-7-42
Willie Vinson	N	Texarkana	Bowie	Texas	7-13-42

Esleeck
Clearcopy Onion Skin
MADE IN U.S.A.

1943

NAME	RACE	CITY	COUNTY	STATE	DATE
Cellos Harrison	N	Mariana	Jackson	Florida	6-7-43
Robert Hall	N	Newton	Baker	Georgia	6-29-43 or 6-30-43
Unnamed Soldier	N	Lewistown	Fulton	Illinois	11-7-43

1944

NAME	RACE	CITY	COUNTY	STATE	DATE
James T. Scales	N	Pikeville	Bledsoe	Tennessee	11-23-44
Robert Lee	N	Rock Mills	Randolph	Alabama	?
Isaac Simmons	N	Liberty	Amite	Mississippi	3-26-44
Raymond McMurry	N	Teel (Near Camp Siebert)		Alabama	3-11-44

1945

NAME	RACE	CITY	COUNTY	SATEE	DATE
Jesse James Payne	N	Madison	Madison	Florida	10-12-45

1946

NAME	RACE	CITY	COUNTY	STATE	DATE
Leon McTatie	N	Lexington	Holmes	Mississippi	7-22-46
Roger Malcolm	N	Monroe	Walton	Georgia	7-25-46
Dorothy Malcolm	N	Monroe	Walton	Georgia	7-25-46
George Dorsey	N	Monroe	Walton	Georgia	7-25-46
Mae H. Dorsey	N	Monroe	Walton	Georgia	7-25-46
John C. Jones	N	Minden	Webster	Louisiana	7-8-46

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William H. Turner	W	?	Coweta	Georgia	4-20-48
Robert Mallard	N	Lyons	Toombs	Georgia	4-20-48

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1949

NAME	RACE	CITY	COUNTY	STATE	DATE
Caleb Hill	N	Irwinton	Wilkinson	Georgia	5-30-49
Malcolm	N	Houston	Chickasaw	Mississippi	7-9-49
Hollis Riles	N	Bainbridge	Decatur	Georgia	9-3-49

Gilbert Onion Skin
[illegible] COTTON FIBRE
U.S.A.

1950

NAME	RACE	CITY	COUNTY	STATE	DATE
Charlie Hurst	W	Pell City	Clair	Alabama	2-22-50
Jack Walker	N	Gay	Meriwether	Georgia	8-18-50

Gilbert Onion Skin
COTTON FIBRE
U.S.A.

1951

NAME	RACE	CITY	COUNTY	STATE	DATE
Melvin Womack	N	Winter Garden	Orange	Florida	3-31-51

[illegible] Onion Skin
25% COTTON FIBRE

8218

Florida Man First Lynch Victim of the Year

Man Kidnaped, Beaten Found in Orange Grove

27a Fla

Law Enforcement Officers Believe Four Masked White Hoodlums Got Wrong Man

OAKLAND, Fla.—Reportedly the victim of a beating my four masked white men who used pistol butts and other weapons in their attack 26-year-old Melvin Womack died Saturday, Mar. 31, in Orlando Hospital, becoming the first lynching victim of 1951.

Snatched by the four unidentified white men on Wednesday night Mar 28, from the home of Mrs. Pauline Mosby, where he boarded, Womack was found in an orange grove Thursday morning by Sheriff Dave Starr who had been informed of the kidnaping by Womack's fellow boarders.

4-14-51

According to Sheriff Starr, the victim when found was battered in the head apparently with the butt of a pistol and otherwise badly beaten. The sheriff quoted him as saying that when his abductors allowed him to get loose, he wandered into the orange grove, where he was found.

When he found the man he was in excruciating pain, the sheriff said, and unable to walk. He carried him to the hospital where he later died. Just before he died, he told Coroner C. M. Tucker: 'I don't know who did it and I don't know why."

Cause of Attack Unknown

Sheriff Starr said the cause of the attack is not known, but he expressed the opinion that the masked night riders were seeking another colored man who lives in the neighborhood and had had some trouble with several white men a few weeks before the kidnaping

Law officers are of the opinion that the hoodlums got the wrong man, persons in the neighborhood in which Womack lived saying the man bore a "good reputation" among both races.

Saying that "everyone claims Womack was well-behaved and had no known enemies," characterized the fatal beating of the man "a dastardly thing," adding that Orange County had never had a lynching before. Womack's landlady said the four masked white men came to his room Wednesday night and forced him to go with them.

A full investigation of the lynching was promised by State's At[illegible]y Murray Sams. He added that a representative from his office would attend the coroner's inquest that was scheduled for later in the week.

Lynchers On Move Again

27a

WINTER GARDENS, Fla.—A lynch mob was on the move again here last week when an unidentified group of men whisked a Negro out of his home and into the night to a citrus grove where they left him fatally beaten.

Melvin Womack, 26, was found in the orange grove several days after the attack with his head battered and body bruised as a result of the beating he received at the hands of a group of white men called "nightriders."

Dave Starr, sheriff, disclosed that the men invaded the house where Womack lived for no apparent reason except that they mistook him for another man. Womack lived just down the street from Coleman who a few months back was beaten on the street by a group of white men.

Officers and others who knew Womack said the man was not known as a trouble-maker and had no known enemies. His kidnapping was reported by Pauline and Dora Mosby with whom he boarded.

Womack told one of the officers before he died "I don't know who did it and I don't know why."

Still Lynching

27a

While the members of Congress of the United States, that unfaithful crowd which is running the government in Washington are playing hide-and-seek on the rights of Negroes in this country, lynching goes rolling on down in Florida.

The story of the lynching of a Negro, Melvin Womack, by a mob down in Winter Gardens, Florida, came to light this week in a press report which said that Womack was beaten to death by "night-riders." And of course, this word "night-riders" is substituted by the press for the word "lynchers."

Our version of this matter, judging from what appeared in the press, is that the incident was one of those pre-meditated, old-time lynehings committed by, or with, the consent and help of the state officers who are supposed to protest a Negro's life as well as all other races.

No account is given of any effort being made by law-enforcing officers to run down or punish the perpetrators for the crime of murder. In the meanwhile, the members of the Congress of the United States are doing no more about it than the people . . . "who fiddled while Rome burned."

Night Rider Attack Kept Quiet 6 Days

27a Fla

WINTER GARDEN, Fla.—Melvin Womack, 26, was lynched near here last week [redacted]masked white men. But police officials said they believe the night riders killed the "wrong man."

Sheriff Dave Starr said the four lynchers invaded the house in which Womack lived, forced him to accompany them to an orange grove near town and beat him across the head, apparently with a pistol butt.

4-14-51

Although the assault took place March 28, it was not disclosed until last week. The kidnapping had been reported by Pauline and Dora Mosby who lived at the same house as the victim.

Constable Carl Sanders found Womack in the orange grove Thursday, battered and bleeding. He died two days later.

Sanders said the night riders must have been looking for another man and went into Womack's house by mistake.

Officers recalled that another Negro had been beaten by four or five white men about two months ago. This man lived near Womack.

According to a United Press reporter, the victim, just before he died, told Coroner C. M. Tucker, "I don't know who did it and I don't know why."

Man Lynched in Florida

Kidnaped, Flogged by Nightriders

By JOHN A. DIAZ

WINTER GARDEN, Fla.—In fiendish savagery a band of nightriders invaded the home of a Negro citrus grove worker here last week, dragged him out, flogged and blasted him to death with buckshots. 4-14-51

The victim of this atrocious lynching was 26-year-old Melvin Womack, who died in an Orlando hospital.

FOUND IN GROVE

27a

The discovery of this crime was not made known until three days after it had occurred. When Womack's body was found in a grove it was thought that he had met with an accident. But investigation disclosed that he had been murdered.

Fla

Dr. A. W. Derrick of Orlando, which is about five miles from here, performed an autopsy and said that Womack's body bore five buckshot wounds, one piercing his head.

The victim is presumed to have died without being able to furnish a clue to the identity of his attackers, but some observers are of the belief that they are known.

"THEY WAS WHITE"

Womack is reported to have said: "They was white."

Witnesses to the atrocity were Dora Mosby, 50, and her daughter, Pauline, 26. They told police how four white men, one at the back door and three at the front appeared at the rooming house in which Womack lived at about 10:45 P. M. on the night of the murder, and smashed in the doors.

27a

UNMASKED

These women eyewitnesses said that they could not describe the unmasked men except that one was of medium height and "very fat."

Fla

Womack was found in a grove the next morning, by Constable Carl Sanders, severely beaten on the head and body, but was still able to walk to the car, the constable said.

Thurgood Marshall Calls It 'Lynching'

Call

Asks Governor To Oust Sheriff

Fri. 11-16-51

NEW YORK.— In a telegram sent on Armistice Day to Governor Fuller Warren of Florida, Thurgood Marshall, chief counsel for the NAACP, called the killing of Samuel Shepherd and the shooting of Walter Irvin by Sheriff McCall a "lynching."

Marshall's telegram to the governor reads:

"Killing of Samuel Shepherd and attempted murder of Walter Irvin by Sheriff McCall has all evidence of type of unlawful killings by peace officers which have replaced old type of lynchings. This new pattern requires cooperation of other state officers to escape justified prosecution.

27a

"In this case, you sent your investigator, J. J. Elliott, to area to investigate. From his testimony at corner's inquest, it is obvious that he spent all his time getting together a defense for McCall's shooting of two manacled prisoners at least five times "in self-defense."

Call 11-16-51

"Instead of removing McCall from duty at least temporarily after the sworn testimony of Irvin to your representative, you left him in complete charge of the case and of Irvin's safety. You also held a two-hour conference with McCall in a hotel in Jacksonville Thursday night. After this conference, your representative, J. J. Elliott, testified in defense of McCall.

"All of this fits directly into the new pattern which has replaced the old type of lynching. You still have an opportunity to demonstrate whether or not the state of Florida believes in fair play and justice.

"Unless Sheriff McCall is replaced and your representative J. J. Elliott is replaced and impartial persons are assigned duty of presenting this case to grand jury, the state of Florida will stand indicted and convicted of racial injustice in the eyes of the world and this with the complete sanction and approval of the state of Florida. We still prefer to believe that Florida will not thus stand convicted. The answer is in your hands."

Courier Dat. 4-28-51

Mob Victims— James Gallon, left, and his son, James Jr., of Greensboro, Fla., heavily bandaged after having been beaten by some thirty or forty whites after an argument over a debt in a store in Greensboro, are living in a nearby town, afraid to return to their farm.

Supreme Court May Act In Groveland Slaughter

Independent Dat. 11-24-51.

NEW YORK, — The United States Supreme Court may be asked to review the slaying of Samuel Shepherd in Florida as a basis of determining whether the slayer, Sheriff Willis McCall of Lake county, acted in contempt of the high court.

Thurgood Marshall, special counsel of the NAACP, Thursday, urged Attorney-General J. Howard McGrath to "consider the presentation of this case to the Supreme court for its determination as to whether Sheriff McCall is in contempt of that court."

Marshall cited the case of U.S. vs. Shipp. "In that case," he pointed out, "the action was brought by the attorney-general of the United States and we believe this precedent authorizes you as attorney-general to take similar action in this case."

The Shipp case dealt with a state court defendant who had asked the Supreme court to review his case and was lynched by a mob before the court could act. In that case, persons responsible were cited for contempt.

In his letter to McGrath, the NAACP attorney asserted that the State of Florida "has demonstrated a determination to whitewash the whole affair."

McCall, he pointed out, "not only remained in office during all of the investigation by the state but apparently had control of the state's investigation of his conduct."

McCall's comment upon learning of the Supreme court's reversal of the first trial of Shepherd and Irvin in 1949 is cited as an indication of his attitude toward the court.

At that time McCall declared: "The fact is that our U.S. Supreme court let a few minority groups such as the NAACP and their eloquent and sensational lies and the receiving of awards from the CIO newspaper guild, such as received by Ted Poston, Negro writer for the New York Post, influence them to such a prejudiced extent that they saw fit to reverse one of the fairest and most impartial trials I have ever witnessed.

"It is shocking to think that Our Supreme court would bow to such subversive influences."

It is apparent, Marshall said, from the account of the murder by Walter Lee Irvin, who miraculously escaped death at the hands of McCall, and from the circumstances, that McCall "deliberately shot and killed Shepherd and attempted to kill Irvin in order to deprive them of the right to a fair trial as ordered by the United States Supreme court through the Florida Supreme court."

Fla

The acquiesence of the state of Florida in this crime has already placed the country in disrepute at home and abroad, Marshall asserted. If the arguments of the Soviet Foreign Minister Andrei Vishinsky are to be answered it must be by the federal government, he said.

8219

Negro Teacher Loses Life In New Outbreak Of Bombings

Advertiser P. 1

MIMS, FLA., Dec. 26—(AP)—The latest in a series of Florida bombings directed against Jews, Catholics, and Negroes took the life Christmas night of a prominent Negro and seriously injured his wife.

Thurs. 12-27-51

Since June, 10 dynamite attempts have been reported, most of them in the greater Miami area. These have been directed against a Jewish synagogue, a Jewish center, a Catholic church, and a Negro housing community.

The victim of the Christmas night blast was Harry T. Moore, 46, Negro school teacher, and official of the National Association for the Advancement of Colored People.

Montgomery Adv.

His wife, Harriet, school teacher at Lake Park, near West Palm Beach, was given a 50-50 chance for recovery. Moore's daughter and mother, home for the holidays from their school teaching jobs in other counties, were asleep in adjoining bedrooms, but escaped injury.

Mrs. Rosa Moore, Moore's 71-year-old mother, said she was lying awake in the back bedroom of the six-room frame dwelling built 22 years ago.

Mother Gives Account

"I noticed an overhead light fixture drop, and then came a deafening roar," she said.

She ran from her room screaming to her daughter, Annie, asking if she was hurt. She wasn't.

Then the two women rushed into the front bedroom, occupied by Moore and his wife. They found the room wrecked. Moore was completely hidden by the rubble.

The two women released Moore's wife from the wedge formed by a toppled bookcase, and then watched as Sgt. Simms removed the rubble from Moore, who was still alive.

Simms, who lives only 800 yards from the Moores, ran to the shattered home as soon as he heard the blast.

He rushed his brother-in-law to a Sanford hospital, where he died about 45 minutes later.

White Lashes Out

In New York, Executive Secretary Walter White, of the N. A. A. C. P., linked the blast with "a reign of terror and violence which has afflicted the state of Florida in recent months."

"Although repeatedly appealed to. Gov. Fuller Warren has consistently refused to take any steps to uphold law and order in that state," White said in a statement. "Nor has the federal government taken effective action to bring the perpetrators of these crimes to justice."

He said Moore's "murder" could not be considered apart from disorders resulting from the widely-known Lake County rape case, the bombing of Jewish synagogues and a Negro housing development in Miami.

Gov. Warren said at Tallahassee he was sending an investigator here immediately. His action came prior to the dispatch of telegrams by the N. A. A. C. P. in New York asking the governor and U. S. Attorney General Howard McGrath to take immediate affirmative action.

Advertiser

There was no comment from Gov. Warren about the bombing, but his office said White's statement "is not true."

Thurs. 12-27-51

The telegram to Warren said "steps must be taken to prevent deliberate action on the part of the lawless forces in Florida to intimidate Negro population. The Moores were representative of the finest type of citizens of your state."

Montgomery

County Judge Vassar B. Carlton started an inquest. He said the bomb appeared to have been placed under the house directly beneath the Moores' bed. Moore's daughter, Annie, teaches at Ocala. His mother, Rosa, teaches school in Jacksonville.

Bomb Explosion Kills Prominent NAACP Official

MIMS, Fla. — (AP) — A bomb explosion Tuesday night killed a Negro prominent in national affairs of his race.

Wed 12-26-51

He was Harry T. Moore, 46, state secretary of the National Association for the Advancement of Colored People.

His wife, Harriet, who teaches school at Lake Park near West Palm Beach, was hurt.

P. 1

The bomb exploded beneath the bedroom of their small, frame house about a mile from here on State Highway 405, off U. S. Highway I. Mims is a tiny community 40 miles south of Daytona Beach. The home is virtually hidden from the road by an orange grove.

Moore's mother, who teaches school in Jacksonville, and his daughter, Annie, who teaches in Ocala, were also in the house but they were not hurt.

Someone who knew Moore's movements planted the explosive—because his job keeps him on the road over the state most of the time and his family had come home only for the Christmas holidays.

Master Sgt. George Sims, brother-in-law of Moore and just back from Korea, lives nearby. He took Moore and his wife to a hospital at Sanford immediately after the blast shook the house about 10:30.

Moore died shortly after reaching the hospital. Attaches said Wednesday they thought Moore's wife injuries not serious.

Sgt. Sims said Moore appeared to have a number of broken bones.

Moore also was a school teacher until he took his NAACP job and had been executive secretary of the Progressive Voters League of Florida, Inc., which before 1948 conducted a state campaign to get Negroes registered to vote.

Two Federal Bureau of Investigation agents were reported investigating and a coroner's jury was called to determine whatever facts might be possible. Governor Fuller Warren said he was sending an investigator immediately.

Deputy Bates said he did not believe dynamite caused the blast because he could not smell powder. He would not elaborate.

Florida Terrorists Hit Again; Negro Leader Killed By Bomb

Commercial Appeal

By The United Press 12-27-51

MIMS, Fla., Dec. 26.—An official of the National Association for the Advancement of Colored People, who had told his mother he would sacrifice his life for the Negro race, was killed and his wife seriously injured when a bomb exploded almost beneath their bed.

Harry T. Moore, 46, state co-ordinator for the NAACP and a leading Negro educator of Florida, was the third Negro to die in Florida by violence believed resulting from the famed Groveland rape case.

His death in the terrific explosion that wrecked one side of his home in this little town half way between Palm Beach and Jacksonville also was the third racial flareup in Florida within two months.

Memphis

FBI Sends Investigators

The Federal Bureau of Investigation and the state dispatched officers speedily to the scene to help local officers in solving the explosion, which occurred about 10:30 Tuesday night.

P. 1

Moore died en route to a Sanford hospital. His wife, Harriet, 49, a school teacher, suffered a concussion and internal injuries. She was given only a 50-50 chance of surviving. Their daughter, Anna Rosa, and his mother, Rosa, 71, were asleep in an adjoining room and were not injured.

Sheriff H. T. Williams and Coroner Vassar B. Carlton said the explosion which blasted through the frame house in this Indian River citrus community was apparently caused by nitroglycerine or some other chemical stronger than dynamite.

Master Sergt. George Simms, who lives a short distance away, said he awoke and heard screams of "Come quick." When he arrived he said the Moores' bedroom was blasted away and Moore was lying on the mattress of his bed in the yard, bleeding badly.

"I tried to get him to quit the NAACP, thinking something might happen to him someday," his mother, Rosa Moore, said. "But he told me, 'I'm trying to do what I can to elevate the Negro Race.'"

"Every advancement comes by the way of sacrifice," she said her son told her recently, "if I sacrifice my life or health I still think it is my duty for my race."

Raised Defense Fund

Moore raised funds and solicited support for the Negroes charged with raping a 17-year-old white housewife at Groveland in 1949. One of the Negroes was killed by a posse and another, Samuel Shepherd, was killed last month by Sheriff Willis McCall of Lake County.

The sheriff shot Shepherd and wounded the third Groveland rape defendant, Walter Lee Irvin, when they were handcuffed together. Irvin testified that the sheriff deliberately shot them, but a coroner's jury ruled the incident was in line of duty when the Negroes attempted to escape.

The NAACP in New York said Moore's murder was linked with the Groveland rape case because of his activities in behalf of the defendants.

Commercial Appeal

And in Miami, two officials said the incident may be connected with the dynamitings of Carver Village for Negroes and Jewish and Catholic churches. Miami Chief of Police Walter E. Headley said he was "waiting for the FBI to give us further details."

P. 1

Burnett Roth of Miami Beach, chairman of the Co-ordinating Committee against bombings, said the 10 attacks on churches and Carver Village in Miami may have set a pattern for terrorists to follow in other parts of the state.

Memphis

"That's the reason we urged the FBI to investigate," he said. "Hate movements work together."

The NAACP urged Gov. Fuller Warren and the Department of Justice to investigate the killing of Moore, who also was former executive secretary of a political organization sponsoring Negro voting.

Thurs. 12-27-51

The FBI sent two agents from its Daytona Beach office and Governor Warren sent a personal investigator to the scene.

Henry K. Hudson, editor of the Titusville Star-Advocate, five miles from Mims, described Moore as a "good law-abiding citizen . . . highly respected."

Moore, a graduate of Bethune-Cookman College in Daytona Beach, and his family were away from their home most of the time. Moore traveled for the NAACP, his mother lived most of the time in Jacksonville, his daughter taught school at Ocala and his wife taught at Lake Park.

They had gathered at their home here for Christmas.

Florida Blast Kills Negro, Injures Wife

Constitution

NAACP Leader's Home Is Bombed

Thurs, 12-27-51

MIMS, Fla., Dec. 26—(AP)—A prominent Florida Negro leader was killed and his wife seriously hurt by a mysterious blast which ripped open their isolated one-story frame home ~~near here~~ Atlanta, Christmas night.

He was Harry T. Moore, 46, Negro school teacher and official of the National Association for the Advancement of Colored people.

His wife, Harriet, school teacher at Lake Park near West Palm Beach, was given a 50-50 chance for recovery. Moore's daughter and mother, home for the holidays from their school teaching jobs in other counties, were asleep in adjoining bedrooms but escaped injury. P. 2

"REIGN OF TERROR"

In New York, Executive Secretary Walter White of the NAACP, linked the blast with "a reign of terror and violence which has afflicted the state of Florida in recent months."

"Although repeatedly appealed to, Governor Warren has consistently refused to take any steps to uphold law and order in that state," White said in a statement. "Nor has the federal government taken effective action to bring the perpetrators of these crimes to justice."

He said Moore's "murder" could not be considered apart from disorders resulting from the widely-known Lake County rape case, the bombing of Jewish synagogues and a Negro housing development in Miami.

Governor Warren said at Tallahassee he was sending an investigator here immediately. His action came prior to the dispatch of telegrams by the NAACP in New York asking the governor and U. S. Attorney General McGrath to take immediate affirmative action.

There was no comment from Governor Warren about the bombing but his office said White's statement "is not true."

The telegram to Warren said "steps must be taken to prevent deliberate action on the part of the lawless forces in Florida to intimidate Negro population. The Moores were representative of the finest type of citizen of your state."

START INQUEST

County Judge Vassar B. Carlton started an inquest. He said the bomb appeared to have been placed under the house directly beneath the Moores' bed. Moore's daughter, Annie, teaches at Ocala. His mother, Rosa, teaches in Jacksonville.

The house is about a mile from here on State Highway 405 off U. S. No. 1 and is virtually hidden from the road by an orange grove. Mims is a tiny Brevard County community about 40 miles south of Daytona Beach.

"We don't know what the explosion was," Judge Carlton said. "It could have been dynamite. It had to be a powerful explosive. The necessary chemical tests are being made."

Moore, whose job as secretary of the NAACP's state organization kept him on the road most of the time, was active several years ago in a movement to get Negro school teachers' salaries raised to the level of those paid white teachers.

State NAACP secretary—

Bomb blast kills Florida Negro leader; FBI joins investigation

MIMS, Fla., Dec. 26—(AP)—A bomb explosion last night killed a Negro prominent in national affairs of his race.

He was Harry T. Moore, 46, state secretary of the National Association for the Advancement of Colored People. P. 15

His wife, Harriet, who teaches school at Lake Park near West Palm Beach, was hurt.

The bomb exploded beneath the bedroom of their small, frame house about a mile from here. Mims is a tiny community 40 miles south of Daytona Beach.

Moore's mother, who teaches school in Jacksonville, and his daughter, Annie, who teaches in Ocala, were also in the house but they were not hurt.

12-26-51

APPARENTLY SOMEONE who knew Moore's movements planted the explosive as his job keeps him on the road over the state most of the time and his family had come home only for the Christmas holidays.

M-Sgt. George Sims, brother-in-law of Moore and just back from Korea, lives nearby. He took Moore and his wife to a hospital at Sanford immediately after the blast shook the house about 10:30.

Moore was a school teacher until he took his NAACP job and had been executive secretary of the Progressive Voters League of Florida, Inc., which before 1948 conducted a state campaign to get Negroes registered to vote.

Two Federal Bureau of Investigation agents were reported investigating and a coroner's jury was called. Gov. Fuller Warren said he was sending an investigator immediately.

Deputy Clyde Bates said he did not believe dynamite caused the blast because he could not smell powder. He would not elaborate.

JOE WARREN, a farmer friend of the Moores living nearby, said Moore's job was a salaried one and kept him on the road most of the year. Ordinarily, he said, no one lived in the house because of this and because other members were away teaching school.

The front door was knocked loose by the blast, and every board in the bedroom torn out.

THE EXPLOSION was the latest in a series of attacks which have had Jews, Catholics and Negroes as targets in Florida this Winter.

Most incidents have occurred in the greater Miami area. Ten dynamite attempts have been reported since last June and the aroused citizens have offered rewards totaling $9,000 for the arrest and victon of the persons responsible.

8220

NEW LYNCH PATTERN CHARGED BY NAACP IN GROVELAND SLAYING

8220

Gov. Warren Asked To Remove Sheriff

TALLAHASSEE, Florida— (SNS) —Governor Fuller Warren was advised yesterday in a telegram from Thurgood Marshall, legal counsel for the NAACP, to "demonstrate whether or not the state of Florida believes in fair play and justice" by replacing sheriff McCall, who "shot and killed Samuel Shephard and attempted murder of Walter Irvin." The full text of the telegram follows:

27a Fla

"Killing of Samuel Shephard and attempted murder of Walter Irvin by Sheriff McCall has all evidence of type of unlawful killings by peace officers which have replaced old type of lynchings. This new pattern requires cooperation of other state officers to escape justified prosecution. In this case you sent your investigator J. J. Elliott to area to investigate. From his testimony at coroner's inquest it is obvious that he spent all his time getting together a defense for McCall's shooting of two manacled prisoners at least five times "in self defense." Instead of removing McCall from duty, at least, temporarily after the sworn testimony of Irvin to your representative, you left him in complete charge of the case, and of Irvin's safety. You also held a two hour conference with McCall in a hotel in Jacksonville Thursday night.

"After this conference your representative, J. J. Elliott testified in defense of McCall. All of this fits directly into the new pattern which has replaced the old type of lynching. You still have an opportunity to demonstrate whether or not the state of Florida believes in fair play and justice.

"Unless Sheriff McCall is replaced and your representative J. J. Elliott is replaced and impartial persons are assigned duty of presenting this case to grand jury, the state of Florida will stand indicted and convicted of racial injustice in the eyes of the world and this with the complete sanction and approval of the state of Florida. We still prefer to believe that Florida will not thus stand convicted. The answer is in your hands." (Signed) Thurgood Marshall and Alex Akerman, Special Counsel, NAACP.

Disregarding the clearing of sheriff Willis B. McCall by a coroner's jury, here Saturday, for the shooting of the two Negro prisoners enroute for a new trial in the famous Groveland case, the Federal Bureau of Investigation is continuing its probe into the shooting incident that caused the death of Samuel Sheppard and critical wounds to Walter Lee Irvin.

Some legal experts in the Justice Department were said to be of the opinion a defendant in a state of criminal proceeding who has taken his case into the United States Supreme Court is surrounded by special Federal protection until the case is finally disposed of.

If such be the case, it was mindicated that the Justice Department might move to have the Supreme Court, which had ordered a new trial for the men, take jurisdiction over the case.

Atl Ga World 11-16-51

Memphis Tri Fla

11-16-51 27a

See: Code-13e-Florida

8221

27a 1951

Florida

Legal Lynching In Dixie

Charge 'Cooperation' In Fla. Shooting

27a

NEW YORK—In a wire to Gov. Fuller Warren at Tallahassee, Fla., Thurgood Marshall, special counsel for the National Association for the Advancement of Colored People, has charged that there is "cooperation of state officers" in the Groveland shootings in an attempt to circumvent prosecution of Sheriff McCall.

McCall shot two prisoners, killing one and seriously wounding the other last Tuesday night, Nov. 6, while transporting them to Tavares where a new trial was to be conducted. He stated he shot them in self-defense when they jumped him in an effort to escape. The men were handcuffed together.

11-16-51

Gov. Warren dispatched J. J. Elliot, a special investigator to the scene. According to Atty. Marshall, Elliot spent his time trying to build up a defense for McCall.

The telegram read as follows: "Killing of Samuel Shepherd and attempted murder of Walter Irvin by Sheriff McCall has all evidence of type of unlawful killings by peace officers which have replaced old type of lynchings. This new pattern requires cooperation of other state officers to escape justified prosecution. In this case, you sent your investigator J. J. Elliott to the area to investigate. From his testimony at coroners inquest, it is obvious that he spent all his time getting together a defense for McCall's shooting of two manacled prisoners at least five times. Quote: in self-defense—unquote. Instead of removing McCall from duty at least temporarily after the sworn testimony of Irvin to your representative, you left him in complete charge of the case and of Irvin's safety. You also held a two-hour conference with McCall in a hotel in Jacksonville Thursday night. After this conference, your representative, J. J. Elliott testified in defense of McCall. All of this fits directly into the new pattern which has replaced the old type of lynching. You still have an opportunity to demonstrate whether or not the State of Florida believes in fair play and justice. Unless Sheriff McCall is replaced and impartial persons are assigned duty of presenting this case to Grand Jury, the State of Florida will stand indicted and convicted of racial injustice in the eyes of the world and this with the complete sanction and approval of the State of Florida. We still prefer to believe that Florida will not thus stand convicted. The answer is in your hands."

Tobias Answers Reds On Killing

27a

PARIS—Answering a charge by Soviet Foreign Minister Andrei V. Vishinsky that life for Negroes in the United States is intolerable, Dr. Channing Tobias, recently appointed member of the United States delegation to the United Nations, declared Negroes are making progress in spite of lynchings, discrimination and segregation.

Vishinsky, in a speech to the General Assembly last Wednesday, cited an incident in Florida involving the shooting of two Negroes by the sheriff.

Said Tobias, "We prefer to take our chances in a democracy." "If there had been such an incident in Mr. Vishinsky's country, there would have been no free news channel through which the incident could be made public.

"We make no attempt to deny the seriousness of the offense," he said, and pointed out that the U.S. made no "attempt to cover up."

Tobias asserted that such incidents occur in defiance of the law, rather than by order of the law.

"We prefer not to be reminded of such offenses by a country such as Mr. Vishinsky's" he said. He also declared that Russia practices slave labor, deportations and political executions.

'I Was Deliberately Shot', Boy Tells NAACP's Thurgood Marshall

EUSTIS, Fla.—Walter Lee Irvin, 23, last of the "Groveland Four" who were victims of a race riot in 1949 resulting from alleged rape of a white woman, has testified that he was deliberately shot in cold blood by Sheriff Willis McCall of Lake County. Irvin made the charge during a bedside interview conducted by Thurgood Marshall, chief counsel, National Association for the Advancement of Colored People, and J. J. Elliot, special state investigator.

Irvin was shot in the chest and neck and left for dead. His co-prisoner, Samuel Shepherd, who was handcuffed to him was killed a few minutes earlier.

According to Irvin, on the night of Nov. 6, the date set for a new trial for the two, he and Shepherd were carried to the Sheriff's car. They were being transferred from the Raiford jail to Tavares. The transfer was made at night by Sheriff McCall and his deputy, Yates.

PLACED IN CAR

The prisoners were placed in the Sheriff's car, according to the statement, and after traveling a clay road, some distance from the main highway, they were ordered to get out of the car. The Sheriff had stopped to inspect a shimmy in his front wheel.

27a

Obeying the command, the prisoners stepped from the car whereupon McCall shot Shepherd, killing him. He then turned on Irvin, shooting him in the chest. Later, Deputy Yates came up and shot Irvin through the neck.

Sheriff McCall reported that the two prisoners jumped him trying to escape and he shot them in self defense.

The Groveland case began in July 1949 when a white woman, Mrs. Willie Padgett, reported she had been raped by four Negroes. One of the accused, Ernest Thomas, 26, was shot in a swamp by a posse. Another, Charles Greenlee, 16, was tried by an all white jury and found guilty. Because of his age, he was given life. Shepherd and Irvin were sentenced to death, but were granted a new trial on appeal to the U. S. Supreme Court.

TERRORIZE NEGROES

Following the accusation by Mrs. Padgett, whites in the area began to terrorize the Negro community, burning homes and generally causing fear and destruction. Newspapers printed inflammable stores inciting riot.

In granting the appeal to the accused, the Supreme Court denounced the "trial by newspapers" and ruled that a fair trial was impossible.

Lawyer Accuses Sheriff

Courier

(Courier Press Service)

TAVARES, Fla.—With rising waves of protest being heard even from across the Atlantic Ocean and in the UN, FBI agents moved into the brutal slaying of Samuel Shepherd and the wounding of Walter Lee Irvin by a Florida sheriff and a deputy and found a bullet embedded in the sand at the slaying site which may prove vital in the investigation.

11-24-51

Meanwhile, the site of the new trial for Irvin has been moved to Gainesville.

Counsel for the NAACP, the National Lawyers Guild and the Civil Rights Congress all sent firm protests to President Truman and asked the Chief Executive to throw the full resources of the Department of Justice into the case, in which it is charged by the wounded Irvin that he and Shepherd were shot in cold blood on a lonely Florida road.

SHERIFF CLEARED

With the seeming full approval of Florida's Gov. Fuller Warren, the State of Florida cleared Lake County Sheriff Willis McCall and Deputy Sheriff James L. Yates of the murder and wounding, declaring that the officers had shot the two Groveland boys in self-defense.

Courier

The verdict of the coroner's inquest caused a resounding blast of protests. Before the UN General Assembly in Paris, Canada's External Affairs Minister, Lester B. Pearson, said that "thousands (in the U. S.) will protest it (the shooting) and try to do something about it."

11-24-51

RUSSIAN BLAST

His statement followed one by Russian Foreign Minister Andrei Vishinsky charging that the killing of Shepehrd and the wounding of Irvin were typical of the violations of the human rights of the Negro people in the United States. Mr. Pearson later received a cable from Washington saying that no official Federal action had been taken in the case.

Meanwhile, in San Francsico, Atty. Franklin H. Williams, NAACP lawyer who represented the "Groveland Three" at the original hearings, declared that Shepherd and Irvin had told him that Sheriff McCall had previously threatened to kill both of them.

"During the trial, McCall again threatened these youths, and also threatened the counsel, including myself, who were attempting to defend them," Attorney Williams told the Courier.

HIT FLORIDA GOVERNOR

Thurgood S. Marshall, special NAACP chief counsel, and Earl B. Dickerson, president of the National Lawyers Guild, both urged President Truman to put the Department of Justice to work in the case, charging a complete breakdown of justice in Florida. They charged Governor Warren with showing a disposition to defend Sheriff McCall, rather than get at the truth.

FBI agents searching the sands at the scene of the slaying, found a bullet embedded in the sand, and upon that bullet rested determination of the truth as to whether the fatal shots were fired while the youths lay prone on the ground, or were fired while they were allegedly tackling the sheriff in an effort to make an escape.

Meanwhile, Circuit Judge Truman Futch has ordered the new trial for Irvin to be held at Gainesville, sixty miles from here, having granted a request for a change of venue. The two boys were being transported to Tavares for a retrial which had been ordered by the U. S. Supreme Court, when the fatal incident took place.

FBI Ready To Act In Fla. Shootings

Daily World p. 1

NEW YORK - (SNS) - The Federal Bureal of Investigation "is prepared to take prompt and effective action" if it finds any "violation of federal criminal law" in the recent slaying of Samuel Shepherd and wounding of Walter Irvin by Sheriff Willis McCall of Lake County, Florida on the eve of a retrial ordered for them by the United States Supreme Court.

In a letter to Walter White, executive secretary of the National Association for the Advancement of Colored People, James M. McInerney, assistant attorney-general, asserted that the Justice Department is "aware of the gravity of the matter." He stated that "a full investigation is being conducted in this case with a view to determining whether or not a violation of federal criminal law was committed."

As the FBI continued its probe, a barrage of protest telegrams and calls for action descended upon the Justice Department and upon Governor Fuller Warren in steadily increasing intensity.

From Paris, O. Frederick Nolde of the Commission of the Churches on International Affairs cabled Governor Warren that the Florida tragedy "has serious adverse impact on public opinion reflected at Paris (session of the United Nations) Assembly." 11-24-51

Reginald H. Zalles, national executive secretary of Americans for Democratic Action, wired Attorney-General J. Howard McGrath that the federal government "has responsibility to enfore equal justice for all" and also wired the Florida governor, urging 'fullest investigation to establish culpability for these crimes." In a letter to Mr. White, Mr. Zalles expressed the opinion "hat "maximum penalties for all guilty parties must be exacted if we are to have any hope whatsoever that law enforcement does not become a tragic mockery."

Calling for the removal from office of Sheriff McCall and Deputy Sheriff James Yates, the International Brotherhood of Sleeping Car and Train Coach Porters, AFL, through International Secretary-Treasurer Ashley L. Totten, wired Governor Warren: "May we depend upon your highest sense of human understanding and recognition that the State of Florida must be included in the civilization of this nation and the world."

Little Scottsboro

Another tragic chapter was added last week to Florida's "Little Scottsboro Case," which started in 1949 with the rape of a 17-year-old Groveland housewife. Two of four Negroes originally accused of the crime were shot by a sheriff taking them from prison to court for a new trial ordered by the U.S. Supreme Court.

One of them, Samuel Shepherd, 23, died with a bullet in his head. The other, Walter Lee Irvin, also 23, survived to accuse the sheriff, Willis B. McCall, of shooting them in cold blood.

Newsweek

Irvin made his charge from a hospital bed at Eustis, near the place of the shooting. He said McCall ordered them out of the sheriff's car, handcuffed together, then blazed away with a pistol. McCall, in the same hospital for treatment of shock, said he fired when the two prisoners tried to overpower him. "I hate that it had to happen," he added.

11-19-51

Shepherd was the second Negro shot to death as a result of the Groveland rape. The first, Ernest Thomas, was killed by a posse a few weeks after the attack. Irvin and Shepherd were sentenced to die in the electric chair, and a 16-year-old boy, Charles Greenlee, was sentenced to life imprisonment.

Last spring the Supreme Court ordered a retrial for Irvin and Shepherd because they were originally tried "in an atmosphere of prejudice." Greenlee did not appeal his conviction.

Labor and civil-rights groups immediately demanded that Sheriff McCall be indicted for murder. U.S. Attorney General J. Howard McGrath ordered an FBI investigation to determine whether any Federal laws were violated. But a Lake County coroner's jury ruled that the killing was "justifiable."

FBI Prepared To Act In Florida Shootings If U.S. Law Violated

13e Fla

Attorney General's Office Says Full Probe Being Made

Kansas City

NEW YORK.—The federal Bureau of Investigation "is prepared to take prompt and effective action" if it finds any "violation of federal criminal law" in the recent slaying of Samuel Shepherd and wounding of Walter Irvin by Sheriff Willis McCall of Lake county, Fla., on the eve of a retrial ordered for them by the United States Supreme Court.

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Call p. 1

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11-30-51

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13e Fla

NAACP Branches Lead Fight

Branches of the NAACP, mobilized by a call from the national office for immediate action in the case, prepared this week to circulate petitions in their local communities. Each petition has space for 25 signatures of persons who wish to join the NAACP in demanding action on the case.

Harry T. Mims, executive secretary of the Florida State Conference of NAACP branches, wrote Governor Warren that "it is quite plain . . . that Shepherd's life could have been spared, Irvin's suffering prevented, and the entire situation avoided if the proper precautions had been taken." Mr. Moore reminded the governor that in 1949 the Florida NAACP requested that Shepherd and Irvin, who had been beaten by Lake County police officers, "not be entrusted to the custody of Lake County officers again, but . . . be permitted to leave Raiford (State Penitentiary) only under a special guard appointed by you."

27b 1951

8222

8222

Victors Over East, Trotters Eye West's Best

47b

Defender

LOS ANGELES (Special)—Basketball's most magnetic and colorful players—the Harlem Globetrotters—are all set for their annual rip-roaring tour along the golden coast of California.

The first two games of this madcap jaunt will be played at Pan-Pacific Auditorium in Hollywood the afternoon and evening of Saturday, Jan. 20, followed by another game at the same place the next afternoon. From here the fabulous Trotters will take their cage circus on to San Jose, San Francisco, Sacramento, Lodi, Oakland, Fresno, San Diego, and back to Los Angeles. 1-20-51

Included on the Globetrotters' spectacular shows will be the Boston Whirlwinds, New York Rens, and Philadelphia Sphas—plus an added array of top-ranking entertainers. Chicago

From all indications, the Globetrotters will continue attracting record-breaking crowds in California just as they have been doing throughout the East and South this season. During their dash to the Coast, the Globetrotters broke attendance marks in four cities on successive nights. In Chicago, they played before 11,000; 10,000 in Kansas City; 5,000 in Wichita; and 10,000 in St. Louis—a total of 36,000 in four nights. That is simply one reason why they are known as basketball's greatest attraction. 1-20-51

California cage fans will see the Trotters at their strongest and such great stars in action as Reece (Goose) Tatum, Marques Haynes, Bill Brown, Capt. Babe Pressley, Ermer Robinson, Pop Gates, Frank Washington and Hank Singleton.

Here is the schedule for the tour: Jan. 20 and 21, Los Angeles; Jan. 22, San Jose; Jan. 23 and 24, San Francisco; Jan. 25, San Jose; Jan. 26, Sacramento; Jan. 27, Lodi; Jan. 28, Sacramento; Jan. 29, Oakland; Jan. 30, Fresno; Jan. 31, Long Beach; Feb. 1, San Diego; Feb. 2, Los Angeles (Shrine Auditorium).

While in the Hollywood area, the Globetrotters probably will get a chance to preview their own movie—"The Globetrotters Story"—a full-length Columbia movie in which they are starred. It is scheduled for release to the public the latter part of February.

Negro Flays NCAA Policy

Constitution

47

COLUMBUS, Ohio, Jan. 7—(AP). Mack M. Greene, director of athletics at Wilberforce State College—an all-Negro school, Sunday accused the NCAA of racial discrimination over scheduling its 1951 convention in Dallas, Texas. 1-8-51

Greene, in a letter to Kenneth L. (Tug) Wilson, Western Conference Commisisoner and Secretary-Treasurer of the NCAA (National Collegiate Athletic Association), Atlanta

"I won't be in Dallas this year to subject myself to the social indignities that Texas law declares I deserve because of my ancestry. I don't believe you would go there, either, if the same discrimination was imposed upon you." Ga

Greene qouted Hugh C. Willett, President of the NCAA, as having said last May 5:

27d(1) 1951

Negro Press

8223

Wild Story at Plaquemine Untrue

Alleged 'Lynching' Was 'Accidental Drowning'

27 d (1)

By JOHN E. ROUSSEAU

(Courier Louisiana Bureau)

PLAQUEMINE, La.—There is no truth in the story which swept Louisiana last week to the effect that two men were lynched near here and their bodies thrown into the bayou. The rumor began when Owen Lang, 42, and Nathaniel Brown, 36, of Bayou Plaquemine disappeared while on a hunting trip Dec. 30. Their bodies were recovered Sunday, Jan. 14, from Grosse Tete Bayou, and residents of this city are convinced and satisfied that their deaths were not caused by foul play.

These facts were ascertained by newsmen representing The Courier and the Associated Negro Press who conducted an on-the-scene investigation here Wednesday, Jan. 17.

Courier 1-27-51

"ACCIDENTAL DROWNING"

A check with leading Negro citizens and with city officials disclosed that Lang, a native of Port Allen, West Baton Rouge Parish, had been employed for many years by C. Orey Dupont, attorney for the tax collector of Iberville Parish, and was trusted and well regarded by Mr. Dupont.

Pittsburgh

Lang and Brown, according to reports, went hunting Dec. 30, using guns and a boat owned by Mr. Dupont. When they failed to return from the hunt, the sheriff, Charles A. Griffon Jr., and white and Negro citizens searched the woods and dragged the bayou but failed to locate the two men or the boat they were using.

27d

One of the bodies was found floating in the bayou about 10 o'clock Sunday morning, and the other about 1 o'clock that afternoon. Both bodies were badly decomposed and showed signs of having been in the water several weeks.

Negro Press

INQUEST HELD

The bodies were removed to the Good Citizens Funeral Home, 917 Plaquemine Street, shortly afterward by Noly Powell, whose wife, Mrs. Lizzie Powell, manages the establishment and whose niece, Mrs. Annisteen Lang, was the wife of Owen (Pete) Lang.

A check with Dr. Rome D. Martinez, Iberville Parish coroner, disclosed that a coroner's jury had been selected and that an inquest was held in the Good Citizens Funeral Home Sunday afternoon, Jan. 14. The coroner's jury returned a verdict of "accidental drowning" in both instances.

The coroner's jury filed official reports which were shown newsmen James B. LaFourche of the Associated Negro Press, and John E. Rousseau of The Courier, by Clerk of Court Phillip M. Castre.

The reports showed that Lang died of "accidental drowning," and that he had a simple fracture of the right leg. Dr. Martinez said this injury could have been sustained while Lang was struggling in or near the boat, that there was no skin blemish over the spot where the fracture was located, and that the skin was unbroken.

NEGROES ON JURY

Two Negroes, Clarence M. Stewart and Henry Young Sr., were members of the coroner's jury which held the inquest. Other members were Jesse E. Hymel, Owen A. Miller, Lawrence J. Miller, Henry Blanchard, John Rupp, Harry Blanchard, John A. Rupp and John Repps.

Mr. and Mrs. Powell said that any person who wished to do so could have viewed the bodies but because the families of the deceased men did not see fit to purchase zinc-lined caskets as provided by law, the funerals were held immediately following the inquests Sunday afternoon.

Mr. Dupont, employer of Lang, was not in his office, however, his son, C. O. Dupont, received newsmen cordially and said that if there had been the slightest indication of foul play his father would have been the first person to insist on a thorough investigation.

Other persons interviewed were C. A. Clement, a local mortician, and William Harleaux, a trade school operator. Both discounted the story which brought newsmen into this community.

"LYNCHING" RUMORED

Various accounts of the men's disappearance and drowning spread like wildfire over Southern Louisiana last week. The most widely told story was to the effect that Lang and Brown had gone hunting with several white men, and that they separated from their white companions and went into a section up Grosse Tete Bayou where a group of white men were hunting deer.

The rumor reaching New Orleans was to the effect that the men's bodies when found showed that they had been shot and beaten to death, and that the head of one of the men had been cut off.

1-27-51

Receiving the story from several different sources, the newsmen, accompanied by James Willis, night club editor for The Courier; Charles Chatman, photographer, and Joseph Aguillard, arrived here shortly afternoon Jan, 17.

Lang is survived by his widow, Mrs. Annisteen Lang, and two children; and Brown, by his widow, Mrs. Alice Brown, and five children.

27d(1) 1951

Northern

8224

Battle Axe And Bread

US Lynch Record Now Far Surpassed

Amsterdam News

By LESTER B. GRANGER

The United States of America used to hold the world's record for lynching, with as many as a hundred lynch victims officially recorded during an average year. Unofficial figures, of course, would probably double or triple the official totals, because no research expert could possibly uncover all the secret. dead-of-night killings of helpless Negroes by skulking groups of whites in the deep South. And even before the Negro became the symbol of mob violence in this country, lynching was widely practiced by white men against white men in the far West—in mining camps, on cattle ranges and in border towns.

Mr. Granger

The American record, however, has been so far surpassed in recent years that even the most disgraceful efforts of a Georgia or Alabama mob seem like boyish pranks in comparison with today's acknowledged champions. Nazi Germany, under Hitler, lynched five million Jews in the space of eight years. Some of the victims were hustled through a burlesque of the judicial process, as were the Scotsboro boys and Angelo Herndon — though the Herndon judgment was later overruled. Most Jews, however, were simply hunted down by brown-shirted gangs and shot, beat to death, poisoned or gassed without the slightest pretense at court justice.

Hitler was crazy, of course, and his government showed all the symptoms of Der Fuehrer's insanity. Even in mass-lynching the Nazis killed like madmen, slaying for the sheer lust of blood and sadistic delight in inflicting suffering. But the maniac is seldom as efficient, even at killing, as the cold-blooded, methodical operator who does the job scientifically and without fury. For this reason, Hitler's Germany held the world's record only briefly.

All-Time Champion

Today the record-holder is Soviet Russia. Her achievement in mass-lynching are unlikely ever to be surpassed, for her government holds sway over more millions of human beings than any government in world history. She has been able to erect a screen of secrecy around her domestic affairs that enables her rulers to ignore the opinion of the still-free world. More than thirty years of a dictatorship have reduced a majority of the Soviet's "citizens" to a complaint status that encourages them to exalt their rulers and take pride in their own serfdom.

China Learning

It will, therefore, never be know how many native Russians and aliens have been lynched in the areas under Soviet domination. Some estimates run as high as fifteen millions, others as low as ten; but either estimate demonstrates that our own southern mobs, at their worst forty or fifty years ago, were the most inept amateurs, compared with the Stalinists and their spiritual cousins, the Hitlerites. Of course, our American Communists will scream bloody murder at such a statement. For instance, when the Chinese Reds—faithful stooges of Stalin — line up 719 victims in two days before a "people's court" consisting of a mob of 150,000 persons, and shoot every one of the victims to death as a public spectacle, our Communists in this country will declare that this is true justice as administered under a "people's democracy." A more obscene use of the word, democracy, could not be imagined.

Aid Not Wanted

This is why it is so degrading for American Negroes who hate lynching in any form, whether administered by a mob or by a corrupt state, to tolerate the "assistance" of Communist groups in our own fight against the bestial practice. It is like hiring one of Al Capone's henchmen to guard your house against robbers; or hiring a Tammany Hall chieftain to head a movement for good government. To turn to such allies, or to tolerate their support, is to discredit the cause in which they are allowed to participate. There are many Negroes who still refuse to see this point and who will deplore this kind of writing as "red-baiting." There is only one answer for them, and that in the form of a question: "How stupid can you get. Bud?"

27d(1)

27d(1) 1951 Southern(Negro Press) 8225

Negro Women Join In Crusade To Fight Lynching In U.S.

NEW YORK, N. Y. —Another Negro people's heroine is taking her place besides Mrs. Rosalie McGee, Mrs. Josephine Grayson and Mrs. Bessie Mitchell in the nationalwide crusade to end legalized lynchings of innocent Negro men and youth. The three Negro women achieved world-wide fame for their heroic efforts in the historic campaigns for Willie McGee, the Martinsville Seven and the Trenton Six.

Mrs. Velma Washington, whose husband, Paul Washington, 25-year old World War II veteran, was saved from execution an hour and twenty minutes before he was to be strapped into Louisiana's portable electric chair, on June 29, has begun taking his case to the people.

A few hours after she heard that Supreme Court Justice Douglas had granted the stay, the young mother arose before the thousands of delegates to the American Peace Crusade and appealed: "Help me save my husband from Willie McGee's fate."

When all other organizations in the South failed her and her husband, Mrs. Washington told the huge audience, the Civil Rights Congress brought its attorneys and the American people to their aid.

"The last time I saw my husband," she continued, "he told me we might never meet again. But my faith and in the people, who understand that fighting for peace all over the world means fighting for peace and freedom for American Negroes, has brought me here."

She told the hushed audience, "We will have my husband. And he will yet see our baby. You and the Lord will help."

Washington is facing death for alleged rape of a 48 year old white widow in March, 1948

The stay by Justice Douglas was granted to permit a battery of Negro and white attorneys to file an appeal with the high court next October. The lawyers are Alvin T. Jones and Louis Berry, both of New Orleans, Ralph Powe of Washington, D. C.—all Negroes and Louis Fleischer of New York.

The attorneys have declared that Washington was never identified by the alleged victim, that no direct witnesses to the "crime" were produced by the prosecution, that they called no defense winesses, and that confessions admitted as evidence were obtained by duress and coercion.

In Louisiana, as in Virginia and Mississippi which executed the Martinsville Seven and Willie McGee earlier this year, the death penalty in rape cases has been given to Negroes only. On June 8, 1951, Edward Honeycutt, a young Negro share cropper, was executed in Opelousas, La., for alleged rape of a white woman. He was the 30th Negro whose life has been taken in the state since 1907. No white man convicted of the same crime in the 34 year period has ever been given the extreme penalty.

The national headquarters of the civil rights organization has called on Negro and progressive white organizations, trade unions, churches and individuals to continue adopting resolutions and writing to Gov. Earl K. Long in Baton Rouge, protesting Washington's conviction and asking for the young Negro veteran's freedom.

27d(2) 1951 White Press-(Northern)

8226

8226

Lynching's Changing Pattern

~~Herald Tribune~~ 4-3-51

Mob Violence in the South Is Meeting a New Quality of Law Enforcement

27d (2)

By Henry Lesesne

ATLANTA, Ga.—A rather frequent complaint of editorial writers on Southern newspapers and the Southerners generally is that newspapers in other parts of the country seem only too willing to devote space in their news pages to Southern mob outrages when they occur, yet are not inclined to devote a similar amount of space to actions in the South which are aimed at curbing mob or terroristic activities.

For instance, recently the Legislature of Georgia, reversing its attitude of the two previous years, enacted a strong anti-Klan law somewhat like the one the Alabama Legislature adopted in the summer of 1949, and it is very likely that the Legislature of South Carolina will approve a similar statute in the coming weeks. The failure of the Eastern press to take much note of this has produced quite a few editorials of the aforementioned type.

The South—remember "Tobacco Road"?—is naturally sensitive on this score, and it has come to regard itself as the nation's whipping boy. But no one familiar with news values could argue that a legislative action in Georgia prohibiting the wearing of masks has a wider appeal among all classes of readers than a rather spectacular lynching or one of the more bloody inter-racial massacres. The sensitivity of the South in this respect is also evidenced by the fact that it will argue endlessly, not without some logic, over just what constitutes a lynching.

It is a fact, however, that the people outside the South who read the details of a mob outrage or racial crime are seldom ever made aware of the dénouement, simply because it is not as shocking as the crime itself. All the foregoing is by way of a preface to two significant developments on the Southern scene: (1) The pattern of mob violence in Dixie has been changing in recent years, and (2) Southern public opinion has also become so sensitive to lapses in legal machinery that a new quality of law enforcement is emerging at last to make lynch-mobsters and others of their ilk less certain of immunity from punishment.

THOSE organizations and individuals who for years have been seeking to bring about a more enlightened public opinion against the mob spirit have always contended, and rightly, that a record of arrest and conviction and punishment is the strongest possible deterrent to mob outrages and masked terrorism. But it comes to mind easily that in the summer of 1946 a group of masked white men lynched two young Negroes and their wives in Walton County, Ga., and despite the most exhaustive investigation there has never been so much as an arrest.

One easily recalls, too, the famous Greenville County lynching in South Carolina a few years ago. Thirty-odd suspects, all taxi drivers, were quickly rounded up after a Negro was lynched. The state prosecuted the case vigorously and thoroughly, yet the jury acquitted the threescore defendants in a verdict which shocked the civilized world.

Since the 1930s there has been a dramatic decrease in the number of lynchings. In 1950 there were only two such crimes—exactly the average for the last four years. However, as the Southern Regional Council, a biracial organization of Southerners, recently pointed out, the small number of lynchings in 1950 is not particularly significant.

In the first place, lynching has become, not without reason, to be identified with racism, and the notion still prevails that the number of lynchings serves as a barometer of race relations. This isn't necessarily the case, when it is considered that white men may lynch other white men and, perversely enough, they may murder, rather than lynch, a member of the minority race. The technical definition of lynching may exclude the most horrible inter-racial slayings—for instance, the case in Mississippi last year of three escaped white convicts slaughtering a whole Negro family.

THE change in the pattern of lynching has come slowly over a long period. Gone is the day of the spectacle of large mobs acting openly and publicly proclaiming their objective. The lynch mob has been replaced by very small groups who conspire in secret and dispose of their victims without any fanfare. This development has, naturally, widened the already wide field for argument over just what does and what does not constitute a lynching.

The Southern Regional Council calls attention to the fact that there were more bombings of Negro-owned homes in 1950 than there were lynchings. There were many more Negroes needlessly shot by policemen acting "in the course of duty." There were more abductions, more floggings, more actions designed to terrorize and intimidate, many of them committed by members of the Ku-Klux Klan or persons concealing their identity behind a reasonable facsimile of the regalia of the hooded order.

The real significance of the 1950 record of lynchings, painstakingly kept by Tuskegee Institute, is neither in the small number nor in the deviation of lynching from the classic example. The thing that is noteworthy is that most of the participants in the 1950 lynchings have been caught, tried and convicted. One need only review briefly the record of the two cases classified as lynchings by Tuskegee, which readily admits there is no really foolproof definition of a lynching.

Charlie Hurst, white, thirty-nine-year-old rolling-store operator of Pell City, Ala., was mortally wounded on Feb. 22, 1950, in his front yard by a group of unmasked men. They had come to his home at bedtime and tried to force him into their car. Hurst's nineteen-year-old son, who came to his assistance, was also wounded. Hurst had previously told his son that "it looks like the Kluxers are after me." There were no charges against the victim. The Tuskegee report concludes that "it seems the mob got 'the wrong man'."

The other lynch victim in 1950 was Jack Walker, a forty-year-old Negro laborer, living near Gay, Ga. His body was found on Aug. 18 in a creek near the Flint River by a group of fishermen. He had been shot to death by three men for whom he worked. According to the Tuskegee report, Walker knew too much about illegal whisky traffic.

Now as to what happened subsequently: One of the mob members in the Pell City slaying has been sentenced to five years in prison, one committed suicide and three other accused men are awaiting trial. A Georgia court has sentenced all three of the men implicated in the Negro slaying—two of them to life imprisonment and one to a term of three to five years.

LATE in 1950 a group of Klansmen shot up a Negro resort near Myrtle Beach, in South Carolina, and in the shooting, somehow, a Conway policeman in Ku-Klux garb was fatally wounded. The sheriff arrested the Grand Dragon and others on charges of attempting to incite a riot and, although the grand jury failed to indict them, the fact that arrests were made, and so quickly, was generally considered a milestone in deterring such acts of violence and terrorism.

As evidence that the indifference, sanction and even downright co-operation extended to mobs by police officers in the past is less frequently condoned now, one might recall the case of the sheriff of Dade County, Georgia, and his deputy, who in 1950 were convicted by a jury of conspiracy with a masked mob in the flogging of seven Negroes and who were given the maximum penalty provided by law—jail sentences of twelve months each and fines of $1,000 each.

Last December a group of white men went to the home of a Negro in Greenwood County, South Carolina. The Negro called to his fourteen-year-old son for help, and the son answered the call, armed with a shotgun. A white man was killed. The Negro boy was arrested on a murder charge. The Negro boy subsequently was acquitted by a directed verdict, and thirteen white men, arrested on charges of criminal conspiracy, pleaded guilty and were sentenced to one year imprisonment each and fined $600, their sentences to be suspended upon serving two months and paying $200.

TUSKEGEE keeps a record of prevented lynchings as well as lynchings. It reports that during 1950 lynchings were prevented by peace officers in at least seven instances—six in the South and one in the North. Southerners interested in stamping out mob violence have long contended that the peace officer is the key to racial tensions and that the remedy lies in the professionalization of the police to the extent that they can view racial conflicts with a degree of objectivity.

A step toward the realization of this goal is seen in the recent establishment of a modern pioneering police college in Louisville, Ky., aimed at raising professional standards, with special emphasis on police work with racial minorities. The institute, under the sponsorship of the University of Louisville and the City of Louisville, serves all the South, and carefully chosen police officers from a number of Southern states are now attending courses under subsistence scholarships.

27d(2) 1951

White Press

8227

Lynching No Barometer Of Race Conflict, Council Says

ATLANTA, Feb. 3—(AP)—The Southern Regional Council took a look Saturday at a year of mob killings and concluded that lynching is no longer a barometer of race conflict.

The reason, it explained, is that lynch victims are now almost as likely to be white as Negro. Race violence, it added, now more often takes the form of bombing Negro homes, abductions, floggings, shootings "in the course of arrest" and other forms of terrorism.

The council is a voluntary organization which has as a principal aim the improvement of race relations. It accepted Tuskegee Institute's report of only two 1950 lynchings and found encouragement that convictions resulted from both offenses.

It also found welcome news that law officers foiled seven attempts at lynchings.

The Council accepted as authentic lynchings the death of a white man, a rolling store operator, at Pell City, Ala., Feb. 18, and of a Negro, Clinton Walker, 40, a laborer, near Gay, Ga., about Aug. 18.

It recounted that two men were sentenced to life imprisonment and one to three to five years in Meriwether County for Walker's death. It added that one man committed suicide, one got five years in prison and three others await trial as a result of the Pell City death.

27d (2) 1951 White Press

8228

Read whole

Lynching Appears Best-Quelled Evil

Dallas Texas

BY PETER MOLYNEAUX

Morning News

ON AUG. 18 LAST a group of fishermen found the body of a 40-year-old Negro in a creek near the village of Gay in Meriwether County, Georgia. He had been shot to death. He was quickly identified as Jack Walker, alias Jack Kendall, also known as Clinton Walker. Investigation pointed to three men by whom Walker had been jointly employed as the principal suspects. They were arrested and it developed that they had a strong motive in that Walker "knew too much" about their connection with illegal liquor traffic. They were charged with murder, and the evidence against them became so conclusive that when called to trial they entered pleas of guilty. On Sept. 7, just three weeks after the discovery of Walker's body, two of the men were sentenced to life imprisonment and the third to a term of three to five years.

Dal. 2-2-51

SHORTLY AFTER THIS, last September, William J. Drury, a former police official in Chicago, was waylaid by unidentified gunmen in his garage and shot to death. It developed that Drury was about to be a witness before the Senate committee investigating crime and that he "knew too much" about racketeering in Chicago. Nobody has been punished for this crime.

27d (2)

THE TUSKEGEE INSTITUTE'S department of records and research reports the Walker case as the only instance of "lynching" of a Negro in the United States in 1950. It reports another "lynching" of a white man at Pell City, Ala., in which a number of unmasked men shot and killed a 39-year-old store operator when he resisted their attempt to force him into an automobile.

But the Institute makes no mention of the Drury case in Chicago or of the Charley Binaggio case in Kansas City last April, or of numerous other similar cases outside the South. The only difference between these killings and the two "lynchings" reported is that the latter happened in the South. And, of course, Walker was a Negro and Drury was a white man.

◆

THE COLUMBUS, Ga., Ledger-Enquirer calls upon the Tuskegee Institute to explain how it concluded that the Walker killing was a lynching, while the Drury killing was not. It wants to know by what definition of "lynching" the Institute reaches such conclusions. It points out that the Institute does great damage to the people and the officials of Georgia when it proclaims to the world that it was the only state in the Union in which a Negro was lynched in 1950.

◆

THE LEDGER-ENQUIRER recognizes the great work the Tuskegee Institute has done over the years in recording and publishing the record of lynching every year. It does not accuse the Institute of any intentional misrepresentation. But it insists that it has made a grievous error in reporting the Walker case, and it thinks the Institute should correct this and expresses the belief that it will.

◆

WHAT WILL COME OF THIS remains to be seen, but the facts speak for themselves. And what the Ledger-Enquirer says about the report doing damage and being unjust to Georgia applies to the South generally, for unless it is corrected it will go into the permanent record that a Negro was lynched in the South in 1950.

But the fact that such a controversy could arise illustrates strikingly the great progress that has been made in the South toward eliminating the crime of lynching altogether. It refutes completely the contention that there is need for the Federal Government to invade the police powers of the states in order to deal with lynching.

◆

EVEN IF IT BE GRANTED that the Walker killing was a lynching, it can not be charged that it was due to neglect on the part of the local officials or to any disrespect for law among the people of the community. For, aside from the fact that it was the kind of killing that could happen anywhere, and that is happening all the time in the big cities, the local officials acted promptly at the earliest possible moment, and justice moved so swiftly that the killers had been sentenced to life imprisonment within three weeks after the commission of the crime. Is there any reason to believe that the Federal Government would have dealt with this case more promptly or more efficiently?

◆

LYNCHING is a cowardly crime which has always been universally condemned by right-thinking people, in the South as elsewhere. Usually it is the work of an inflamed mob composed of unidentified persons, and therefore it is difficult to detect and to punish the guilty parties. But at no time has there been any valid reason to believe that federal interference in local law enforcement would be any more successful in suppressing lynching than the local officials. And there has been no justification whatever for the preposterous proposal of empowering the Federal Government to prosecute local officials for failure to prevent or to arrest and prosecute lynchers.

Without any interference from the Federal Government, the state and local officials, together with the sentiment of the people of local communities, have practically eliminated lynching. Like any other crime, instances of it will occur sporadically. But it has been more nearly suppressed completely than any other crime. Only fanatical doctrinaries, professional agitators and Communists still demand federal laws to suppress it.

27e(1) 1951 ALABAMA

8229

5 Re-Indicted In Pell City Night Riding

27e(1)

PELL CITY, ALA., Nov. 2—(AP)—Five men, including a former Ku Klux Klan organizer, have have been re-indicted on charges of assault with intent to murder in connection with a fatal night-rider gun battle here last year, Sheriff R. E. Bowlin said Friday.

The five were charged last year with murder. Two were tried on that charge. One was acquitted, and the other convicted of manslaughter and sentenced to five years in prison.

Sheriff Bowlin said the newest arrests on the assualt charges were those of the Rev. Alvin Horn, Talladega County preacher and admitted former organizer for the Georgia Association of Ku Klux Klans; C. M. Hunter, Pell City mattress manufacturer and ex-police officer here, and Charlie Carlisle, Jr., young Pell City textile worker.

They were released under $1,000 bond each.

Claude Luker, Talladega furniture dealer, and Albert Lee Wilson, Talladega County farmer, were arrested last week on similar assault with intent to murder indictments returned by the St. Clair County Grand Jury. They also were placed under $1,000 bond.

They were charged in the wounding of Howard Hurst, 19, at the Hurst home near here in February, 1950. Hurst was shot in the hip as he ran to give his father the family .22 rifle.

The father, Charlie Hurst, was shot to death in an exchange of gunfire with five unmasked men who had called him from his home. As the elder Hurst walked out of his house, he told members of the family, "it looks like the Ku Kluxers are after me."

Carlisle was convicted last summer of a manslaughter charge in the elder Hurst's slaying, but is free on bond. Luker was acquitted.

No motive for the band's visit to the Hurst home was ever uncovered. State officers for a time investigated the possibility that the raid resulted from a case of mistaken identity.

Journal 11-3-51

Montgomery, Ala.

27e(1) 1951

Alabama

8231

Night-rider slaying cases at Pell City are delayed

News 11-30-51

PELL CITY, Ala., Nov. 30—Trial of eight more cases growing out of the night-rider slaying of Charles Hurst at his home here in February, 1950, has been continued.

The cases, including three murder charges and five charges of assault with intent to murder Hurst's son, Howard, were continued as each came up at Circuit Court here, a court official said.

No date for trying the cases was set. The next regular term of court is scheduled for Spring.

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27e(1)

DEFENDANTS IN the murder cases are Alvin Horn, Baptist minister and one-time leader in the Ku Klux Klan, of Clay County; Albert Lee Wilson, Talladega County farmer, and C. M. Hunter, local business man.

Ala.

The three men also are charged with assault with intent to murder. Also charged with assault are Charles Carlisle, Jr., textile worker, Pell City, and Claude Luker, Talladega business man.

Carlisle and Luker also were charged with murder in the Hurst slaying. Carlisle was convicted of manslaughter and sentenced to five years. He has appealed and is free under bond. Luker was acquitted in his trial last year.

P. 33

Pell City Ala.

Hurst, a tubercular rolling store operator, was shot to death in front of his home on the outskirts of Pell City the night of Feb. 22, 1950.

He was killed as he sought to defend himself from five men who had parked a car in front of his home and attempted to drag Hurst into the vehicle.

Howard Hurst, his son, was shot in the hip as he came to his father's aid.

The father, died a few minutes after telling his family "I think it's the Ku Klux."

27e(1) 1951 Florida 8230

In HIS Case It Was 'Insanity'

White Student Guilty of Rape, But Is Freed

Courier 2-24-51

27e(1) Fla

By JOHN A. DIAZ

GAINESVILLE, Fla.—The insanity verdict here last week with which an all-white jury freed a white law student who was charged with raping a 42-year-old Negro woman here last November has been received by Florida Negroes with bitterness and resentment. They find in it a contrast with the Groveland rape case last year, when two Negroes were sentenced to the electric chair, and one given life imprisonment for allegedly raping a white woman.

In one of the most brutal rape cases in the annals of Florida crimes, the 42-year-old colored woman testified that on the night of Nov. 6, William D. Rogers, 23, Marine veteran from Coral Gables, Fla., forced her at gun point into his car, forced her to lie prone on the floor, so that she could not be seen, and drove away, threatening to shoot her if she didn't remain crouched low on the floor.

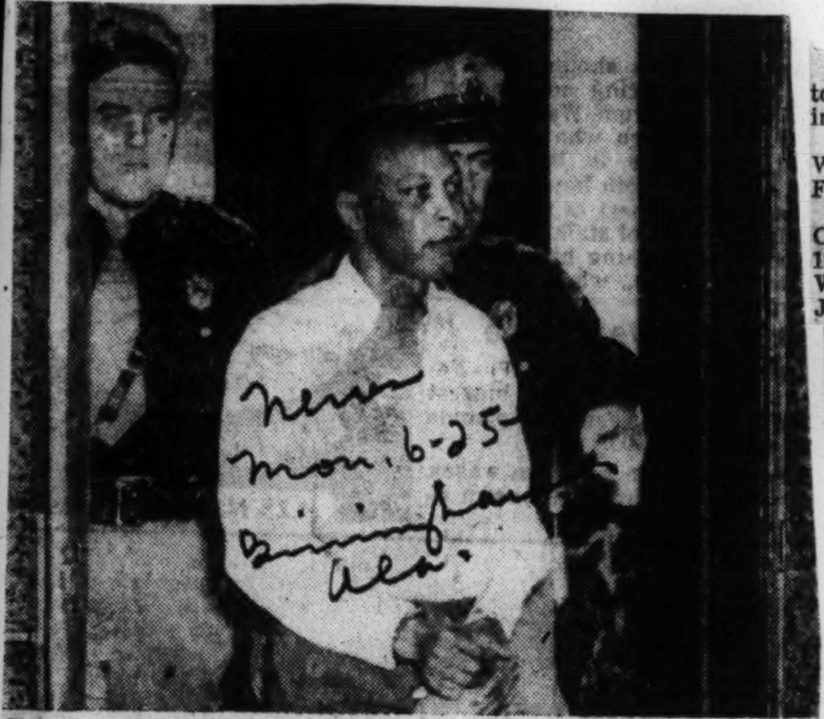
She told the court that Rogers drove to a wooded spot, forced her to undress. Then, she said, he forced her to perform an unnatural act, raped her, and made her commit the act again, she testified.

The victim identified a pistol as the weapon which Rogers used to threaten her into the brutal acts. Her story of being forced

27e(2) 1951

Alabama

8233



News Mon. 6-25- Birmingham, Ala.

Trial called — Cooper Drake, Negro, accused of fatally shooting a 4-year-old boy while his mother held the child in her arms, was scheduled to go on trial in Shelby County Circuit Court today. He is shown being led into the courthouse at Columbiana by State Highway Patrolmen today.

Courtroom doors locked—

Trial opens for Negro accused of slaying boy

27e(2)

BY THOMAS F. HILL
News staff writer

COLUMBIANA, Ala., June 25—A motion for a continuance was denied this morning in the trial of Cooper Drake, Negro, charged with the murder of 4-year-old Dale Holley and the rape of his mother, Mrs. Kathleen Holley of Calera.

The motion for continuance was made by Defense Attys. Wales Wallace, Jr. and Conrad Fowler, shortly after the regular jury panel was drawn.

Mon. 6-25-51

Sitting in with defense counsel are Attys. Paul O. Luckland and Andy Ellis. Representing the state are A. L. Hardegree, circuit solicitor, and Frank Head, county solicitor.

After the motion for a continuance was denied by Judge W. W. Wallace, defense counsel requested individual qualification of jurors.

The defense counsel questioned each juror as to whether or not he participated in the widespread search for the person who committed the crime.

Two Negroes were in the jury panel. Only about a half dozen excused themselves on the basis of having a fixed opinion.

Drake was captured by a posse on Oct. 19, 1950, the day after Mrs. Holley was raped at her rural home and her son slain as she held the little boy in her arms.

The Negro was shot prior to his arrest and was given emergency treatment at Hillman Hospital, Birmingham, before being transferred to Kilby Prison. Last week, he was brought to Jefferson County Jail, Birmingham, where he was kept until his trial opened.

* * *

MRS. HOLLEY told officers she was in her home washing clothes when she saw the Negro pass. She said he came back by her house, forced his way inside and raped her. She said he then made her walk into the woods in back of the house. She took the boy with her. In the wooded area, the boy was slain and she was struck over the head and shot.

Drake was brought to Columbiana from Birmingham this morning under heavy Highway Patrol guard.

Judge W. W. Wallace ordered courtroom doors to be locked after the court was filled.

* * *

FIRST ITEM on the agenda for today was the slow and painstaking process of selecting a jury.

Drake is being defended by Wales Wallace, Jr., and Conrad Fowler, court-appointed attorneys.

Drake was indicted by the Shelby County Grand Jury on Nov. 13, 1950. He was arraigned by Judge Wallace on the murder charge on June 12.

NEGRO IS IDENTIFIED AS SLAYER OF CHILD

Farm Wife Says Son Was Shot As She Held Him In Her Arms

27e(2)

COLUMBIANA, Ala., June 26.—(AP)—A 37-year-old farm wife Tuesday identified a 29-year-old Negro as the man who fatally shot her small son as she held the child in her arms last Fall.

Mrs. Kathleen Holley told a jury her 4-year-old son, Dale, was killed by Cooper Drake at the Holleys' farm home near Calera. Drake is being tried for the slaying of the infant although he also is charged with raping Mrs. Holley after the killing.

Wed 6-27-51

W. E. Allen, state criminal investigator, testified Drake admitted orally that he forced Mrs. Holley and the child to accompany him from their house and left them in a field.

The Negro testified that Mrs. Holley became angry with him the morning of Oct. 18, took his pistol and shot her son to death. Then, he said, he took the pistol back and fired several times at her.

Drake claimed in his testimony that he had sexual relations with Mrs. Holley several times with her consent.

Recalled to the stand, Mrs. Holley denied Drake's charges.

Drake was wounded by members of a huge posse who caught him about 24 hours after the killing. He had been released from prison three months before the Calera case, after serving a term for attempted rape.

Man Cleared Of An Alleged Rape Charge

BY MARCEL HOPSON

BIRMINGHAM, Ala. — (SNS)

A 30-year-old man was cleared of an alleged rape charge and released from City Jail while two other persons were held for county jail authorities pending preliminary hearings on attempted murder charges against the latter two court officials said this week.

Sat. 7-28-51

Freed of the alleged taxi-cab rape charge was Willie Allen of 831 South Fourth Place, jail officials said.

27e(2)

The two defendants booked on attempted murder counts are Napoleon Allen, 51 of 204 North 28th Street, and Eugene Carnes, 36 of 1520 Cahaba Street, police said. Both will be heard in Judge G. G. Bonner's Court, Allen at two p. m. and Carnes August 6 afternoon, respectively.

ALLEGED ATTACK IN TAXI

Police said a 22-year-old woman, gave her address as 127 North First Avenue, told them that she was allegedly raped at one a. m. after midnight, July 21 while she was reportedly riding in a taxicab owned by the Harlem Cab Company. She claimed, according to police that the cab was being driven by Willie Allen, a Harlem employee, at the time of the alleged criminal attack on her.

Investigators said she named a man identified as Frank Wagner 28 of 14th Street and North Fourth Avenue, as her alleged attacker in the cab.

The young woman was taken to a local hospital sometime later for a physical examination of which the examining physician concluded that the alleged victim had been put through the process, police said. Also, police said, the young woman suffered a small bruise over her right eye.

Allen was exonerated and released on the evening of the same day he was arrested, July 21.

PISTOL-WHIPS EX-WIFE

Police learned from witnesses that on the morning of July 20, Carnes allegedly pistol-whipped his ex-wife, identified as Miss Dorothy Brown, 22 of 1704 Tombigby Street, at the home of a woman identified as Mrs. Truddie McElrath of 3943 North 16th Avenue.

Investigators gave the motive of the alleged beating as "revenge."

Among three witnesses to the altercation were Mrs. McElrath who police said, swore out the complaint for Carnes's arrest, and Mrs. Edith Jackson, Miss Brown's mother.

Officers quoted witnesses as saying that Miss Brown and Eugene Carnes (Her husband) had gotten a divorce and Carnes is said to have threatened "to kill Miss Brown and any other policeman that tried to catch him. He then, witnesses said further, allegedly pistol-whipped Miss Brown to the floor and stomped her, it was reported.

Miss Brown was taken to Hillman Hospital an hour later, treated and dismissed.

MONEY LEADS TO CUTTING

Napoleon Allen, according to police, is charged with allegedly cutting George Hendricks, 63 of 204 North 28th Street, during a fight "over some money" at 11:40 p. m. July 21.

Investigators said during the reported flight, Allen and Hendricks cut each other and both were placed under arrest.

Mrs. Velma White, of 206 North 8th Street, Hendrick's niece, sworn cut a complaint for Allen's arrest, police said. The cutting is said to have occurred at Mrs. White's home.

Douglas Saves Doomed Negro

Advertiser Sat. 6-30-51

NEW ORLEANS, June 29—(AP)—U. S. Supreme Court mandate Friday halted the execution of Paul Washington, 25-year-old Negro, one hour and 20 minutes before he was scheduled to die for the rape of a white woman.

27e(2)

At the time, Washington, shaved and shorn for his date with Louisiana's portable electric chair, sat moodily in his cell of the Jefferson Parish (county) jail at Gretna, across the Mississippi River from New Orleans.

He had eaten his last meal there a few feet from the spot where the electric chair was set up yesterday in readiness for the execution.

When told that U. S. Supreme Court Justice Douglas had granted him a stay of execution, Washington merely smiled and said nothing, jail attaches reported.

Washington had been scheduled die between noon and 3 p. m. (CST). It is customary in Louisi- a to conduct executions as soon possible after noon. It was 10 a. m. (CST) when word of the execution stay reached the jail.

Douglas granted the stay in Washington after one of his colleagues, Justice Burton refused to act late last night.

Condemned by jury-

Drake, convicted child slayer, in Kilby 'death row'

BY THOMAS F. HILL
News staff writer

COLUMBIANA, Ala., June 27—Cooper Drake, 29-year-old Shelby County Negro, was in "death row" at Kilby Prison today after being convicted of the murder of a 4-year-old white boy.

Drake was found guilty of the first degree murder of Dale Holley, son of Mrs. Kathleen Holley, also of Shelby County.

News

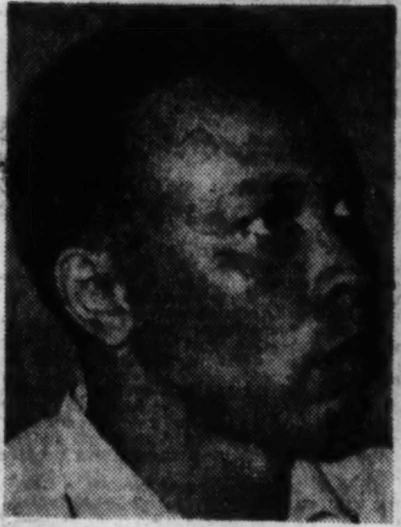
The guilty verdict and a recommendation that the death sentence be imposed was returned at Shelby County Courthouse at 9:30 p.m. yesterday, after the all-white jury had deliberated for three and one-half hours.

Wed.
6-27-51

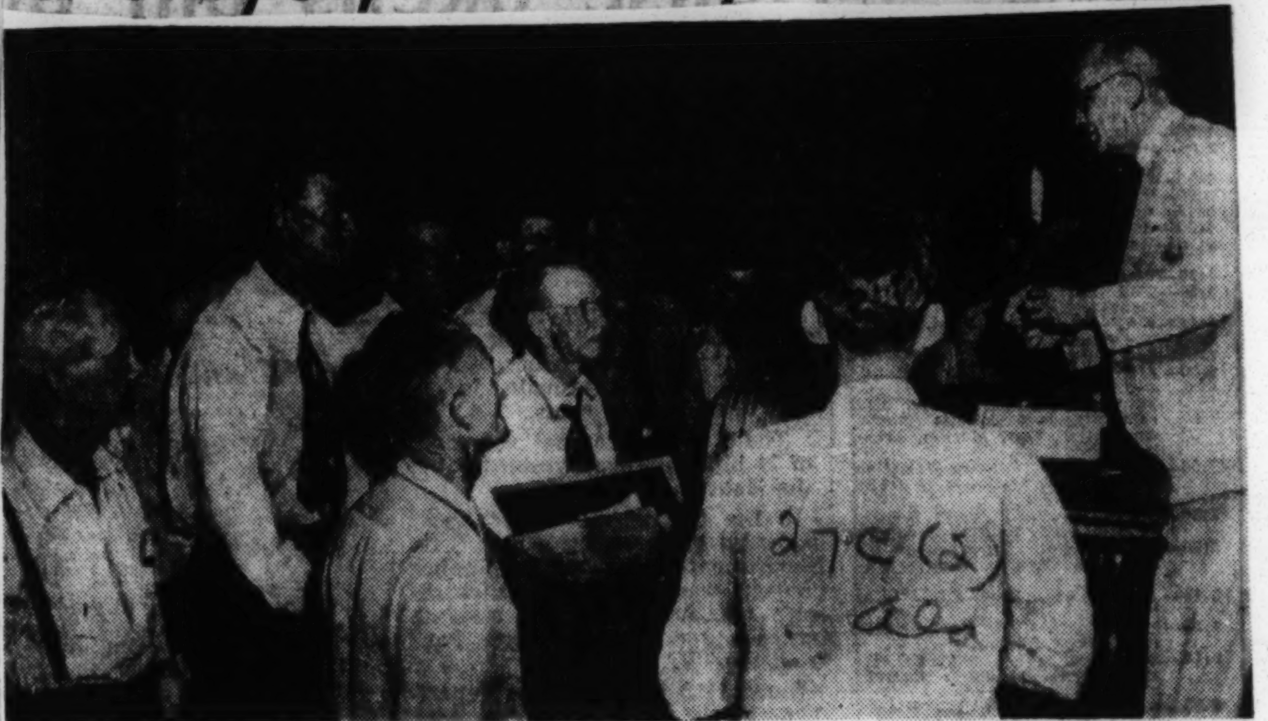
Drake was charged with slaying the child while it was in his mother's arms on the morning of Oct. 18, 1950. He also is under indictment for shooting and raping Mrs. Holley, mother of four other children.

Birmingham

Judge W. W. Wallace immediately passed sentence upon Drake and fixed the execution date for Aug. 3. Drake then was whisked back to Kilby Prison under heavy Highway Patrol guard.



Hears verdict—Cooper Drake, 29-year-old Shelby County Negro, listens as Judge W. W. Wallace last night read the jury's verdict of "death by electrocution."



27 C (2)
Ala

Death sentence is delivered—Jury Foreman Mack Dennis is shown at left center, with the papers and books in his arms, surrounded by other jurymen, as he last night delivered to Judge W. W. Wallace, right, a verdict of guilty in the trial of Cooper Drake, charged with murdering a 4-year-old boy. The jury recommended the death penaltv.

THE DEATH SENTENCE is automatically stayed pending a review by the Alabama Supreme Court, which goes into Summer recess in a few days.

The case opened Monday afternoon, after most of the day was taken up selecting a jury. Two Negroes were on the originai venire, but were struck off. Testimonv and arguments were over by yesterday afternoon, and the case went to the jury at 5:15 p.m.

Before the jury went out, Drake took the stand for one and one-half hours as the sole witness for the defense.

In an hour-long oration, Drake told the court he had been intimate on several occasions with the slain child's 37-year-old mother, and that she had asked him to "kill her husband," and marry her and take her to New York.

Drake told the court that on the morning of the slaying, Mrs. Holley again asked him to marry her, and he said he told her he couldn't as he was already married.

Drake then stated that Mrs. Holley took his own pistol and shot the baby herself.

27 C (2)

He told the court that Mrs. Holley then told him that if he didn't take her to New York, she would tell everyone that he killed the baby.

* * Ala

DRAKE SAID he took the pistol away from Mrs. Holley and shot her several times.

Earlier in the day, Mrs. Holley had testified that she had seen Holley the afternoon before the slaying at which time he passed their house and conversed with her husband.

Mrs. Holley told hte court that the next day, Drake slipped up on her as she was washing clothes, pulled a pistol on her and forced her into the house. She said the Negro threatened several times to kill her son, Dale, and kept a pistol pointed at her head while forcing her to be intimate with him.

Recalled to the stand after Drake's testimony, Mrs. Holley denied ever being intimate voluntarily with the Negro, or making any plans to run away with him. She emphatically denied killing her own baby, or asking Drake to kill her husband.

In another portion of his testimony, Drake told the court that State Investigator W. L. Allen told him "The Klan" might couse his family trouble if he didn't plead guilty. Drake said this happened at Jefferson-Hillman Hospital, Birmingham, where he was taken after he was wounded by a posse.

Mr. Allen, recalled by the state, dneied this.

Through his court-appointed defense attorneys Wales Wallace, Jr., and Conrad Fowler, Drake entered pleas of "not guilty" and "not guilty by reason of insanity."

The state was reprsented by Circuit Solicitor A. L. Hardegree and County Solicitor Frank Head.

Drake had been released three months before the slaying after serving a Federal term for attempted rape.

THE SOLICITOR'S office gave no indication as to what action would be taken on the rape charge still pending against Drake.

The Shelby County Courtroom was under heavy guard throughout the trial. Spectators were searched before entering the courtroom, and on several occasions Judge Wallace warned against any demonstration.

The courtroom filled quickly last night when news spread that the Jury was ready to render a verdict. A few groups stood idly around on the streets, but no demonstration was made.

Minister To Appeal Assault Conviction

27e(2) Ala

BY MARCEL HOPSON

B'HAM, Ala. — (SNS) — After an alleged rape charge against him was reduced to an "assault and battery" count, the Rev. (Dr.) A. M. Saulsbury, young Louisiana Baptist minister, appealed a $500 fine and six month jail sentence, meted him, to the Court of Appeals in Montgomery, Ala., Circuit Court officials said Friday.

The charge reduction and his fine and sentence came last Thursday, September 20, in Circuit Judge Alta L. King's court at the final hearing of Rev. Saulsbury who was being tried on an alleged charge of criminally attacking a local 17 year old high school girl.

Daily World

Following his appeal, the young minister, who is also a music and choir instructor at Coleman College, Shreveport, La., was released on a $1500 bond, court officials said.

According to the young girl and her aunt, the latter identified as Mrs. Puralee Harmon, the alleged criminal attack occurred in their home here last May 7.

Preceding the alleged attack Rev. Saulsbury was reportedly in Birmingham conducting a three-week revival at the Mt. Calvary Baptist Church of which the Rev. Calvin Perkins is pastor, and of which the young attack victim was a member, it was learned.

9-25-51

Rev. Saulsbury testified that while here in the city he resided at Dr. Perkins' home at 1600 South Omega Street.

The young minister and his wife and two baby sons who were here during his trial have returned to their home in Shreveport, it was reported.

Atlanta, Ga.

Deputy Circuit Solicitor [illegible] (Bud) Watson prosecuted for the state. Atty Patton Murphy defended Rev. Saulsbury.

Argument Ends In Shooting

Police said just as an arrest order was being broadcast for Mrs. Alberta Louise Warner, 38 of 711 [illegible] Fourteenth Street, she walked voluntarily into Police Headquarters and surrendered herself some few hours after a reported shooting.

Mrs. Warner was still confined in City Jail last Saturday charged with the September 20 morning shooting of her husband, Willie Warner, 39 allegedly during an argument between them in their home police said.

Warner, according to police, stated that "my wife and I had had an argument and she shot me with a small calibre pistol.

Investigators said, although they did not know at the time of the shooting whether Warner was admitted to Hillman Hospital but they did learn that he was shot in the left side of his abdomen.

A witness to the shooting was identified as Robert L. East, of [illegible] North 14th Street, police said.

Officers revealed that at the time of the incident, Warner had $[illegible] on his person.

The pistol slug which struck Warner is in the custody of police, it was said.

Indicts White Man For Rape Of Negro Girl

3-10-51

27e(2)

MONTGOMERY, Ala. (ANP)—A white man was indicted here, Friday, for the rape of a Negro girl.

The accused man is Sam Green, 29, a grocer. He is out on bail of $7,500.

His accuser is a 16 year old colored girl who served as his baby sitter in Green's home the night of Feb. 11.

According to testimony presented, the girl served as a baby sitter in Green's home the night of Feb. 11.

After the attack he is said to have given her a dollar, told her to hide it in her shoe and to tell no one. She told her parents immediately, and was examined the next day. She also reported the attack to the police the next day.

The case will not come to trial, however, until the next term of court.

27e(2) Ala

Extra police haved been put on in the Negro area because of situation because of fear of among the Negroes.

Man on Trial for Raping Teen-ager

MONTGOMERY, Ala. — A 29-year-old white groceryman, charged with raping a teen-age servant girl, was slated to go on trial here June 4.

27e(2)

Sam Edward Green was arrested Feb. 13, after a complaint from the girl that two nights before—on Feb. 11—he took advantage of her while taking her home from his house where she had worked.

Gentle John Brown

AS A celebrated case, the Scottsboro case is taking rank with the famous Scopes Monkey Trial in Tennessee and the Sacco-Vanzetti case of the Twenties. To support that it may be pointed out that the Scottsboro boys became instruments of Russian foreign policy; international feeling was so inflamed that it was possible to collect defense contributions from people in the streets of Barcelona, Paris and London; the actors in the drama were such as Franklin D. Roosevelt, Mrs. Roosevelt, Justice Hugo Black, Clarence Darrow, Samuel Leibowitz, Tom Heflin, Walter White, governors, congressmen, editors and a theologian.

Jun. 3-25-51

The fame of the case is being sustained by new books on the subject. Recently we had *Courtroom* and *Scottsboro Boy*. Just published is *They Shall Be Free*, by Dr. Allen Knight Chalmers.

That the Scottsboro case was singular is attested by the fact that this latest work is written by a New England author and theologian, with an introduction by the Negro agitator Walter White, and handsomely dedicated to the editor of a paper long known as the "Bible of the Black Belt!"

27e(2)

★

THEY SHALL BE FREE is styled "the complete story of the Scottsboro Case told by the head of the Scottsboro Defense Committee." It is the story of how for nearly 20 years Dr. Chalmers, now professor of Preaching and Applied Christianity at Boston University School of Theology, relentlessly agitated and intrigued—to the point of becoming a lawbreaker himself—to free the Scottsboro defendants.

In seeking release of the Scottsboro defendants, Dr. Chalmers found himself collaborating with the remarkable team of Stalin, the leading ministers and editors of Alabama, Hugo Black, the corporation lawyer Forney Johnston of Birmingham and Donald Comer. Is there another cause in the world that could provide a common goal for these clashing figures?

The editor is able to attest out of personal knowledge that Dr. Chalmers commanded the respect, confidence and usually the affection of the Alabamians with whom he collaborated.

He believed, as do most of us now, that the Scottsboro boys were innocent of raping the two white women. It became a passionate moral concern with him. For nearly 20 years, in the face of repeated disappointments, he flew in and out of Alabama—sometimes at risk to his safety—seeking the release of the defendants still in prison.

We trust that we give no offense to Dr. Chalmers in saying that to read of his Scottsboro "raids" on Alabama is to think of him as a gentle John Brown.

Why a man with remarkable personality traits could have flown in from New York and made staunch supporters and affectionate friends of a large number of Alabama's leading citizens—who are as sensitive to the do-gooder meddling of outlanders as the next man. But that he did.

NOW and again even the friendly critic finds himself smiling at some unintended humor in *They Shall Be Free*. "Some of those who helped us will be excluded from my book because they live in Alabama and life will be easier for them if their activities are not disclosed." Dr. Chalmers is a little subjective here and what he says does not apply to the present climate. The Scottsboro case is no longer hot. The public mind in Alabama is no longer aroused or even very sensitive.

"The [official reports of the psychiatric examinations of the Scottsboro boys] are in my possession and I will not violate the boys' privacy by publishing the record in its entirety, "Dr. Chalmers says. In view of Haywood Patterson's clinical and unashamed descriptions of his homosexual life in *Scottsboro Boy*, this is whimsical. Patterson's confessions are fit for inclusion in Krafft-Ebing's *Pscychopathia Sexualis*.

★

OF HIS assistance from Alabama friends, Chalmers says: "The Alabama press, exemplified mainly by [the editors of The Advertiser and Birmingham News], was responsible and cooperative almost beyond belief. Time and again it could have ruined what we were trying to do"

★

CHALMERS unintentionally puts Supreme Court Justice Black in an awkward light.

Only a few days ago Justice Black rebuked the growing practice of trying "pressure tactics" on the judiciary. "To those wiring him about a Mississippi rape case, Justice Black quite properly exploded: "I hope you realize that courts of the United States are not the kind of instruments of justice that can be influenced by such pressures."

But in 1938, Chalmers discloses, Black himself was behind the scenes exerting pressure to spring the remaining Scottsboro defendants from jail.

". . . A letter from Black showed that as a result of our conference he, too, tried to influence [Gov.] Graves."

Advertiser Jun. 3-25-51

BUT not even Franklin D. Roosevelt could, in that period of public feeling about Scottsboro, influence his doting friend Gov. Graves to parole the remaining prisoners. Graves had appointed the day and hour on which he would parole Patterson, but he backed off.

Chalmers relates that President Roosevelt stayed up late one night reading his memorandum on the status of the case. Aroused, President Roosevelt invited Graves to join him at Chattanooga and later at Warm Springs, but Graves guessed what was up and had a previous engagement. Not even for thou, Mr. President.

IN HIS passionate zeal, spanning 20 years, to free the last of the defendants, Chalmers is frank to disclose that he put his zeal ahead of the law. When Patterson escaped from Kilby, he told Chalmers where he was.

As soon as [Patterson] was across the state line he sent me immediate word. He told we where he was going and asked me for my help. I had no choice but to help him.

My ancestors, during Civil War Days, had helped slaves escape over the Underground Railway. At least the precedents were in my family. I knew that the FBI could hold me as an accessory after the fact of Patterson's escape . . . My advice to Patterson was . . . : ". . . The FBI will be at my door at once." . . . I told him of places where he might go and where he would be safe.

"You are" [the FBI told me] "an accessory after the fact."

"I know," I answered. "Arrest me if you must. I will not help to find him."

His book justly condemns Alabama's indifference to the law in railroading the Scottsboro boys to prison in 1931. But in 1951 it is Chalmers who scorns the law to become an accessory in a jailbreak.

"WE HAVE lived to see one job through anyway. The Scottsboro case can be marked 'File Completed'," the book concludes.

Shortly after this, the AP announced that the fugitive Patterson had stabbed a man to death in Detroit. Michigan whose governor wouldn't return Patterson to Alabama when he was captured, holds Patterson under indictment for murder.

Some Southerners will be tempted to wryly observe here that a Scottsboro boy has become a Detroit boy.

But the Scottsboro issue is not whether Patterson is a bad man. He quite plainly is. Alabama's concern has to be that we kept him in prison for [illegible] years for a rape that never happened.

Green Acquitted Of Rape Charge

27e(2)

A Montgomery County jury deliberated just five minutes Tuesday night before acquiting Montgomery grocer Sam E. Green of raping a 15-year-old Negro girl.

Ala

Advertiser

The 29-year-old Green, represented by Attorneys John Harris and John Blue Hill, denied that he forced his intentions on the girl. He said she consented.

The girl was employed as a maid in the Green's home at the time of the alleged attack, Feb. 11.

Wed

Solicitor William E. Thetford, speaking to the jury, said:

"We have said to the Negroes of this county, 'leave white women alone,' now we must say to the white man, 'leave Negro women alone'. Justice must be poured from the same bottle to all."

Montgomery Ala.

Thetford said that, so far as he knew, it was the first time in this county a white man has ever gone to trial on a charge of raping a Negro woman.

A conviction would have carried a sentence ranging from 10 years in prison to death.

Negro Is Convicted In Alabama Killing

Herald Tribune

White Jury Acts in Death of Boy, 4, Linked to Rape

COLUMBIANA, Ala., June 27 (UP). — A twenty-nine-year-old Negro was convicted by an all-white jury last night of killing a four-year-old boy whose mother he was accused of raping.

27e(2)

The verdict means that Cooper Drake, an ex-convict, will be sentenced to die in the electric chair. Under Alabama law, however, a death sentence is appeal automatic.

6-28-51

New York

Drake, who was tried for the murder of little Dale Holley, was indicted also for raping the child's mother, shooting her several times and leaving her dead.

Drake contended that Mrs. A. B. Holley was the one who killed her son. He testified that she did so after he refused to kill her husband and take her with him to New York. Drake said he had been meeitng the woman intimately for a long time.

Mrs. Holley said Drake came to her house Oct. 18 seeking permission to hunt in the woods. Then, she said, he forced her at gunpount into the bedroom and raped her, threatening to kill young Dale if he didn't stop crying.

Mrs. Holley said Drake later marched them both into the woods and opened fire at them while she tried to shield the child in her arms. After the shooting, she said, Drake kicked her and, believing her dead, fled.

Mrs. Holley said she crawled to the road for help. A short time later a 1,000-man posse was formed. Drake was wounded by the posse before his capture.

Free White Man Who Raped Girl

MOBILE, Ala.—Dixie's dual system of justice functioned true to form Wednesday when an all-white circuit court jury freed a white man charged with having committed a crime against nature against a five-year-old girl.

The man, Robert C. Westphal, 27, was pointed out again and again by the pretty little kindergarten pupil as the man who lured her into the parish church and made her submit to the [illegible] experience.

27e(2)

Negro Denies Killing White Boy, Charges Mother Killed Her Son

27e(2) Ala

COLUMBIANA, ALA., June 26 —(AP)—A 29-year-old Negro denied from the stand Tuesday that he murdered a 4-year-old white boy.

Advertiser

The Negro, Cooper Drake, claimed in testimony that the boy's mother, Mrs. Kathleen Holley, shot her son to death.

Mrs. Holley, 37-year-old farm woman, earlier pointed out Drake as the man who shot her son and herself after raping her at pistol point. Recalled to the stand, she flatly denied Drake's charge.

Wed 6-27-51

Drake is under indictment on the rape charge but is not being tried on that charge at present.

The case went to the jury at 5:15 p.m. (CST).

More than a score of armed officers guarded the courtroom throughout the trial and searched everyone entering for firearms. Women were searched by two special women deputies.

10 Negroes In Court

About 10 Negroes were in the courtroom Tuesday.

Drake claimed in his testimony he ~~had sexual relations with~~ Mrs. Holley several times with her consent. She denied it.

The Negro ~~told the court~~ that Mrs. Holley became angry with him the morning of Oct. 18, took his pistol and shot the boy, Dale. Then, he said, he took the pistol back and fired several times at her.

Montgomery Ala.

The remainder of Drake's testimony concerned his attempts to elude a posse after he learned members "planned to shoot me on sight." Drake was captured after a widespread, 24-hour manhunt.

Mrs. Holley earlier testified that the Negro slipped up on her as she washed clothes in the rear of her farm home in an isolated area near Calera, Ala.

Rape Recalled

She said he forced her into the ~~house and, at pistol point,~~ raped ~~her after~~ threatening to kill Dale if she didn't make the child stop crying.

Then she continued, the Negro ordered her to pick up Dale and walk outside.

"We walked into a field," Mrs. Holley continued. "He followed me pointing the gun at me. I stopped and he ordered me to go on. I stopped again and he ordered me to put my boy down.

"I refused and he fired his pistol at me. I was hit in the face and fell. Dale rolled away from me and began crying. I believe the first bullet hit him, too.

"He stood over the baby and fired several shots at him. Then he came over and shot me twice more."

She said the Negro kicked her and then picked up a large rock. The farm woman added that she pleaded, "Don't shoot me any more, I'm going to die anyway."

After the Negro left, she continued, she tried to walk but fell. She said she crawled to a nearby highway and to a small crossroads store where she gave the alarm.

Drake had been released about three months before after serving a Federal term for attempted rape.

Bessemer youth sentenced to die in assault case

27e(2)

Ala

TUSCALOOSA, Ala., Aug. 14—(AP)—Deliberating only 33 minutes, a Circuit Court jury last night sentenced calm Charles Campbell, 23, Bessemer, to death for raping a 40-year-old housewife.

Highway patrolmen guarded the Tuscaloosa County Courthouse, but there was no demonstration when the Draper Prison convict was given a swift trial yesterday.

Campbell was one of three Draper prisoners accused of breaking into a suburban Tuscaloosa home during a three-state flight last June. They were captured at Delhi, La.

News

Fred Noe, 18, Anniston, goes on trial today, also on rape charges Johnny Mack Rogers, 17, Pinson, is accused of robbery.

THE ATTACK VICTIM, testifying in such a low voice she was told several times to speak louder, said yesterday that Campbell and Noe raped her during a two-hour ordeal.

8-14-51

She testified that Campbell held a pistol to her head while he assaulted her. She said her hands were tied behind her back at the time.

Birmingham

Circuit Judge Reuben H. Wright sentenced Campbell to die in the electric chair Nov. 9. Death sentences automatically are reviewed by the State Supreme Court in Alabama, however.

Ala.

Campbell wore an open-throated gray shirt, blue jeans and white tennis shoes. He showed little emotion when the jury verdict was announced.

When Judge Wright asked him if he had any request, Campbell asked to be moved to Kilby Prison at once. Judge Wright replied that his cell "would be on death row."

"That's all right," Campbell answered.

The accused man also said he would like to get in touch with his father, Floyd R. Campbell, Albuquerque, N. M.

The three convicts broke into the home here while the woman was bathing.

She testified that she barely had time to put on a brassiere and half-slip before they seized her.

The housewife told of being bound and raped, first by Noe and then by Campbell.

Her 10-year-old son was another state witness. He testified that the convicts tied him up with one of his father's ties.

The mother was forced to alter some of her husband's clothes for the convicts to wear.

The defense did not offer any witnesses. Campbell pleaded innocent by reason of insanity.

Greene County Sheriff Frank Lee testified that Campbell admitted orally to having sexual intercourse with the housewife, but claimed she submitted willingly.

27e(2) 1951 Arkansas

8232

THIRD DEATH PENALTY FOR NEGRO IS UPHELD

Commercial Appeal

Arkansas High Court Rejected Earlier Convictions

11-13-51

LITTLE ROCK, Nov. 12—(AP). —The third rape conviction and death sentence of Herman Maxwell were upheld Monday by the Arkansas Supreme Court which had reversed two previous jury verdicts in the case.

Memphis, Tenn.

The Hempstead County Negro was accused of raping a pregnant white woman near the Deann community July 20, 1949.

His first conviction in Hempstead Circuit Court was reversed on the ground that his attorneys had not been given sufficient time to prepare a defense. The second was overturned because the Supreme Court found Negroes had been systematically excluded from the trial jury.

27e(2)

This time Maxwell appealed on the contention that the charge was made against him in an unconstitutional manner—by prosecutor's information rather than grand jury indictment.

Ark

The Supreme Court, in affirming the conviction and sentence, said it had "repeatedly held such procedure constitutional, as has the United States Supreme Court."

The court added:

"We again hold the evidence ample to sustain the verdict and judgment."

EXECUTION IS POSTPONED

Commercial Appeal

Herman Maxwell Scheduled To Die Jan. 18

27e(2) Ark.

LITTLE ROCK, Dec. 13.—Governor McMath Thursday granted a third stay of execution to Herman Maxwell, Hempstead County Negro who has been in Arkansas death house about two years awaiting execution for the conviction of rape of a white woman.

Maxwell has been tried three times by Hempstead Circuit Court. Twice the Arkansas Supreme Court ordered new trials, but on the last conviction, the state's high court upheld the death sentence.

Memphis, Tenn.

Thursday's appeal was an effort by attorneys of the Hope Negro to take the case to the United States Supreme Court.

Governor McMath postponed the execution date from Friday, when Maxwell was scheduled to die, to Jan. 18, in order to give defense attorneys time to perfect their appeal to the high tribunal.

8237

Exclusive Story Given Courier By Woman Juror

By CHESTER L. WASHINGTON

ELSINORE, Calif.—The dramatic inside story of what happened in the Riverside County jury room when ten jurors were grimly determined to send Air Force Sergeant Lawrence Walker to his death with practically no deliberation, was revealed to the Courier exclusively here Saturday.

The jury found Walker guilty of the murders of Richard and Doris Cook, an 18-year-old couple, and also convicted Walker of kidnapping and criminal attack on Doris Cook. The couple was slain March 28.

WOMAN JUROR TALKS

Making the startling revelation was Mrs. Margaret Chance, only Negro member of the jury who finally agreed to vote "yes" because she felt it was the only way to save the sergeant from death in the gas chamber. But in casting her "guilty" vote, she did so after explaining that she still believed young Walker absolutely innocent of the murders of Mr. and Mrs. Richard Cook.

Mrs. Chance made several sensational charges in a signed statement to the Courier.

First, she said that the foreman in charge in her opening statement to the jurors declared that it was an evident fact that Walker was guilty.

Second, Mrs. Chance said the jury decided not to visit the scene of the crime because a couple of women declared the weather was too hot.

Third, Mrs. Walker declared that ten of the jurors were determined to decree death for Walker even before any deliberations, which was proved by their votes shortly after the jury convened.

SEGREGATED JURY

Fourth, she pointed out the fact that in the Mission Hotel she was housed far down the corridor from the rest of the jurors while all the white members were bunched together in the hotel where they could communicate with each other easily.

Fifth, after the second day of deliberations, Mrs. Chance said they warned her that unless she agreed to vote "yes" with them that they would hold out for a death penalty.

8-18-51

Finally, that she only consented to vote "guilty" after the judge had expressed the opinion that twelve intelligent people should be able to come to an agreement.

THREATENED HER

Mrs. Chance also said the jurors threatened her that if she did not act right that there would never be another Negro on a Riverside County jury . . . and . . . that if she held out to cause another trial for Walker that he would surely get the death chamber.

In Mrs. Chance's own words:

"The jury foreman said: 'We all know what we are here for. We all know that the defendant is guilty on all seven counts. Now let's have a short prayer.'

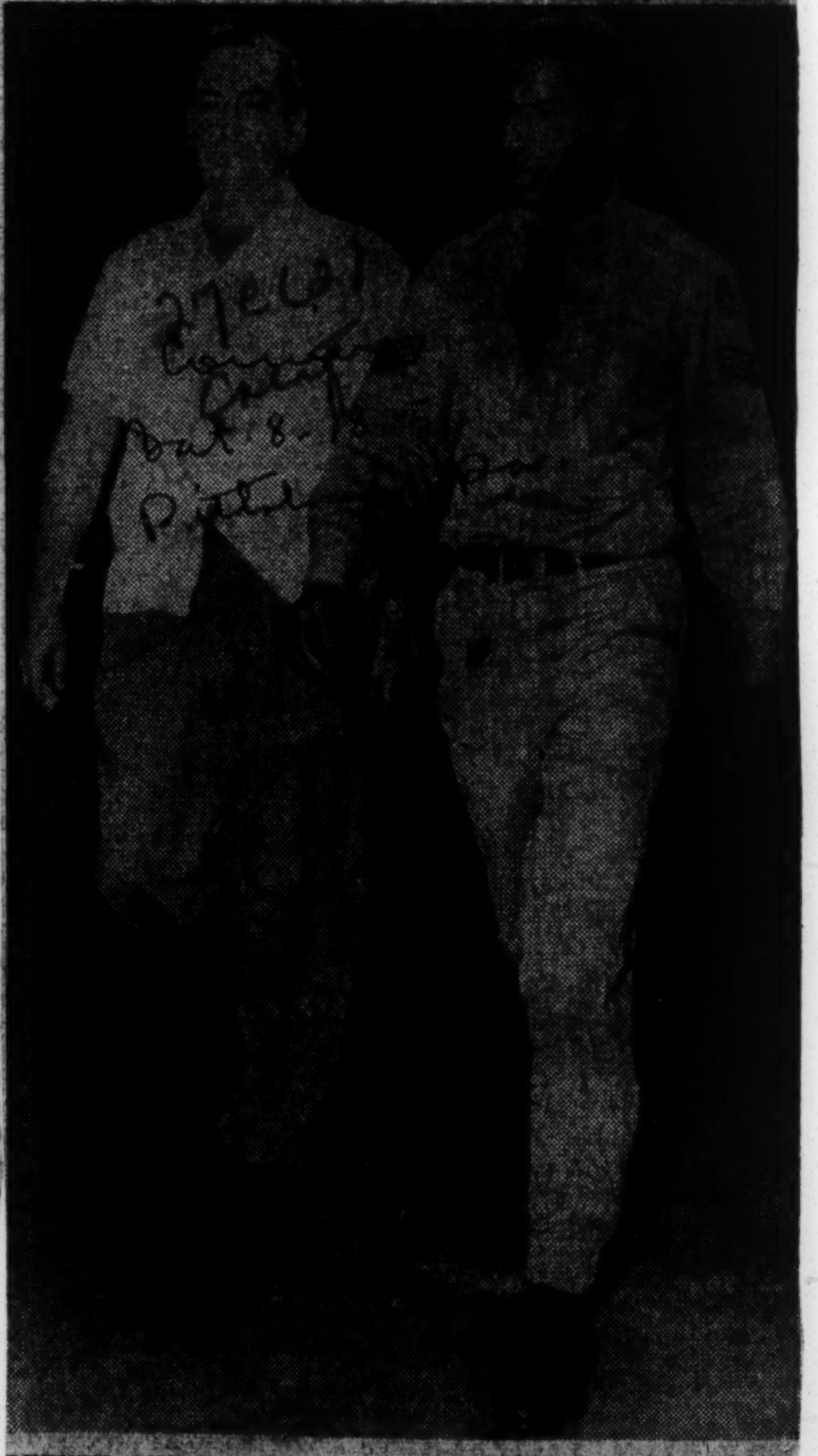
"In the prayer, a juror asked God to help us get rid of a man who would commit a crime like this. Then she passed out slips of paper. Ten voted 'yes' and two voted 'not guilty,' including myself and another woman. Before the first day was over they had convinced the other woman to vote 'yes' and I was the only one holding out in the honest belief that Walker was innocent . . . and I still think he is.

RIDICULED LAWYERS

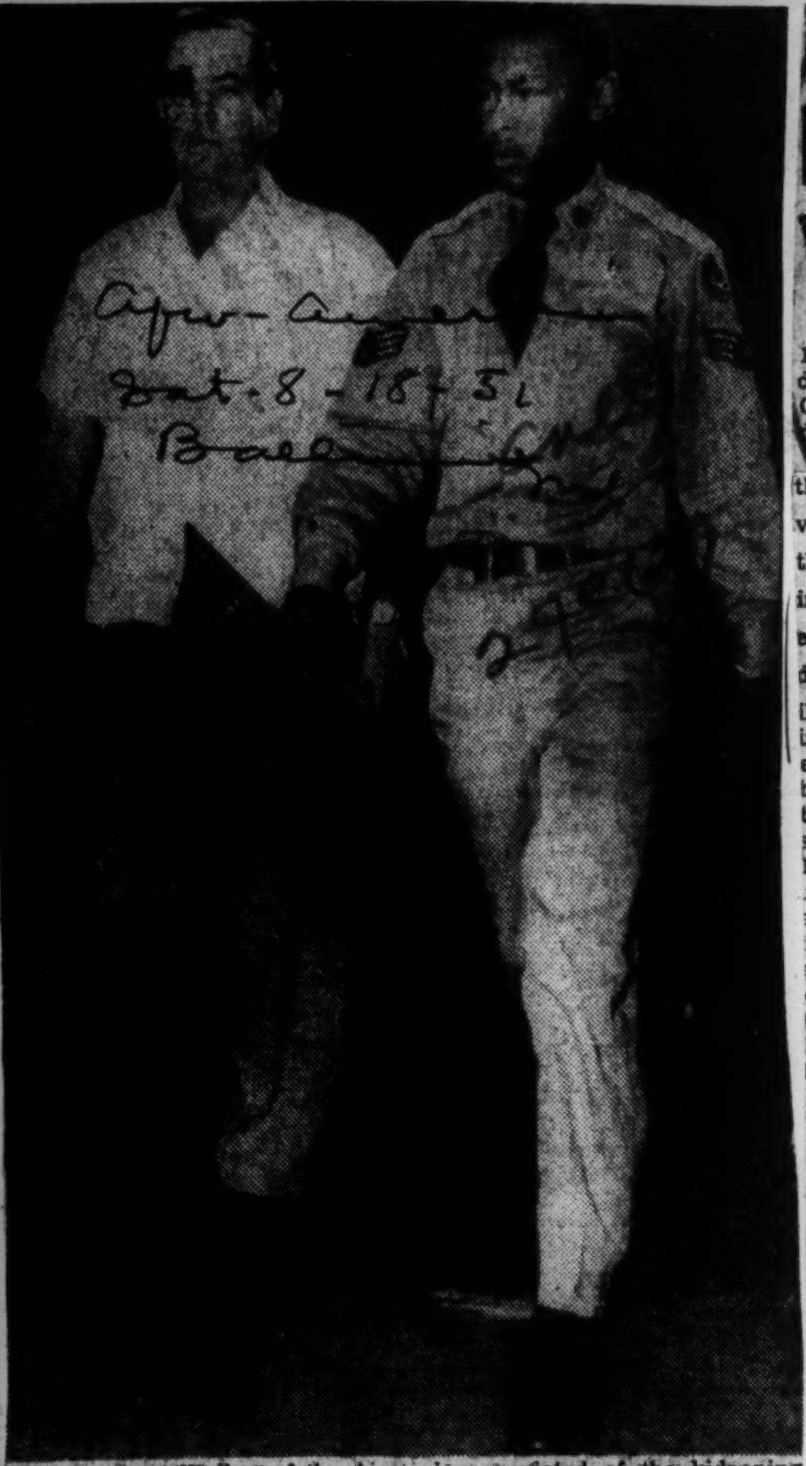
"Back there in the jury room they ridiculed Walker's brilliant lawyers, but I told them that our attorneys were even more convincing than the evidence which the District Attorney had presented.

"It was a terrible ordeal, and they were all picking on me. But after it was all over, many of them complimented me on my courage and determination.

"One juror said that I had done almost as much good for my race as Ralph Bunche had done, by contending for a square deal and by taking a stand against what looked like an attempt to unfairly convict Walker, an innocent man."



DEPUTY SHERIFF NEWT ABBOTT, SGT. LAWRENCE WALKER



Afro-American
Dat. 8-18-51
Balt.

Sgt. Lawrence Walker of the Air Force, leaves the courtroom at Riverside, Calif., with the sheriff's deputy, Newt Abbott, left, after his conviction of the double murder of Richard and Doris Cook last March 26. Sgt. Walker, a native of Newark, N.J., was also convicted of the kidnaping and criminal attack of Doris Cook. It was the jury compromise in the murder conviction verdict which saved him from the death penalty. The jury recommended life imprisonment. Attorneys plan an appeal.

Indicted Youth Denies Visit To Woman's Home

Informer
Dat. 8-11-51

27e(2)

Houston

HOUSTON — Louis Allison, 20, 1113 Dowling, was indicted Tuesday in Judge A. C. Winborn's Court on a charge of rape. The date of the trial has not been set.

An Informer reporter went to the Harris County Jail to interview Allison. He was brought to the Identification office where the interview took place, in the presence of Sheriff's officers. Allison denies having been to the Hamilton address and he denies having committed the offense as charged. Allison told the reporter that he had attended a show earlier in the evening. Friday night after the show he said he went to The Sea Food Inn. He said this was about 12 a.m. Allison said while at the Sea Food Inn, he became involved in an argument with a girl by the name of "Katherine", who works there and she almost tore his shirt off. A check with Katherine revealed that Louis Allison was put out of the Sea Food Inn at 1 a.m.

Allison told the reporter that he then went to Angel's Cafe, 2502 McKinney. He said he left the cafe and went home and got in bed. Later Allison stated he became hungry and got up and went back to Angel's Cafe to get something to eat. After leaving Angels' Cafe, he said that he went to Hogrobrook's Cafe. This was about 4 or 4:30 a.m. according to a check with Roy Washington of Angel's Cafe who said that Allison left his place around 4 a.m.

Allison told the reporter that he was walking on Dowling, and at Tuam he met a man who was going east on Tuam. He said this man dropped something and he heard some money fall. Allison told the reporter that he picked up a small bracelet, a silver dollar and a billfold. He said that the billfold had some money in it. When asked by the reporter how much Allison said that he did not know as he put the billfold in his pocket. He said that he crossed the street by Buck's Drug Store to get a taxi as "I had money". He continued that it was in the 2800 block of Dowling that an officer drove up in a car and told him to get into the car. When asked if he resisted the officer, Allison said that he did not. He said that the officer told two men to hold him or he (the officer) would kill him, and then put handcuffs on him. Officer Melvin, however, reported that Allison struck him when arrested.

Youth, 20, Convicted in Slaying Of Couple in California Desert

27e(2)

8-6-51

RIVERSIDE, Calif., Aug. 5 (AP). —Lawrence J. Walker, Air Force sergeant, was found guilty today of murdering Mr. and Mrs. Richard Cook on the desert near here March 26. The jury also found the twenty-year-old Newark, N. J., man guilty of kidnaping Mrs. Cook and guilty of assault with intent to rape her.

The jury of eleven women and one man, which took the case Friday, recommended life imprisonment on the first-degree murder convictions.

Mr. and Mrs. Cook, both eighteen, were shot while returning to their home near Los Angeles. Mr. Cook's body was found near his car. Beside it, on a blanket, lay his eight-months-old son Philip unharmed. Mrs. Cook's body was found two days later in a quarry ten miles from where motorists had found her husband.

Mistrial on 3 Counts

Superior Judge Russell S. Waite declared a mistrial on three other counts with which Walker was charged: kidnaping Mrs. Betty Maund, twenty-two, of Riverside last February; raping Mrs. Maund in a Riverside ball park; assault with a deadly weapon on her escort, Sgt. James Hicks.

The jorors, who spent 21 hours of actual deliberation, reported they were unable to agree on these three charges. Judge Waite set Aug. 15 as the date for sentencing on the convictions and said he will probably decide on that date when to call a new trial on the three counts involving Mrs. Maund.

Walker maintained the stoic composure that has characterized him throughout the proceedings. But his mother, Mrs. Lilian Onque, forty-four, of Newark, collapsed in the court room.

Jury Was Deadlocked 11 to 1

Walker's lawyers, Crispus Wright and Leo Branton, wept openly outside the courthouse. Mr. Wright said he will "naturally move for a new trial" and probably will appeal.

Walker, who insisted he was innocent, was defended by attorneys retained by the National Association for the Advancement of Colored People.

The foreman reported the jury had been deadlocked at 11 to 1 since shortly after taking the case. One member of the jury was a Negro woman, but there was no indication which juror caused the deadlock.

Walker, who protested his innocence from the start, admitted sideswiping the Cooks' auto on the lonely back road, but said he drove on to March Air Force Base without stopping. F. B. I. men testified that shell casings found near the death scene came from a gun found in Wolker's car when he was arrested.

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D.C.

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2 Indicted for Rape And 5 for Murder

The grand jury yesterday indicted five persons for murder and two for rape. Post

Frank Proctor, 27, of 1427 9th st. nw., and Albert Allen, 23, of 247 Warren st. ne., were indicted for first-degree murder in the brutal robbery slaying of a Uline Ice Co., truck driver on December 30.

They murdered George Schomber, 39, of 728 22d st. nw., by beating him with a push broom, according to the indictment. Allen is also an ice company driver and Proctor is a laborer.

Both are also charged with the robbery of $108.61, of which $53.61 belonged to Schomber.

Evald Nemm, 50, of [illegible] 5th st. ne., was accused of strangling his 58-year-old wife, [illegible] to death with a clothesline on October 17, 1950. He was charged with first-degree murder. Police said Nemm tried to commit suicide afterwards by trowing himself in front of a car at Florida ave., and 2nd st. ne.

The grand jury indicted Joseph C. Nicholson 30, of 705 4th st., for the first-degree murder of Bernard L. Bradley, 56, of no fixed address, on December 2. Nicholson stabbed Bradley 10 times and slit his throat twice in the rear of 366 Dixon ct. sw., after Bradley asked him where he could get some whisky, police said.

Juniun B. McDougle, 43, of 3408 Warder st., was indicted for second-degree murder in the fatal stabbing of Mrs. Mabel Baskerville, 38, of 618 Morton st., nw., after an argument during a game of pitty-pat on January 13.

John W. Ferguson, 25, of 3011 Stanton rd., se., was indicted for raping a 25-year old housewife in an alley behind 2016 Georgia ave., nw., on December 29. Ferguson was also charged with assaulting the woman with a deadly weapon, a wine bottle.

Robert L. Wells, 23, of 1301 T sts., nw., was indicted for the rape of a 17-year-old girl who had approached him about a waitress job in a restaurant at 1211 U st., nw. The rape occurred August 25, 1950, according to the indictment.

Two grand juries returned a total of 35 indictments.

Wesley Bausell, 39, was charged with maliciously burning his room in the Capitol Hotel, 1016 I st., nw., on December 6. Damage was estimated at $134.

Ezell Jones, 32, of 1820 Kalorama rd. nw., and Morris Johnson, 25, of 2001 Portner pl. nw., were both indicted for housebreaking and larceny, and destroying movable property. They entered the American Food Store, 2744 14th st., on November 21, 1950, and stole a $400 safe containing $637 in cash, the indictment charged.

Rapist, 16, Sentenced to 20-60 Years

27e(2)

Lee V. Boseman was sentenced to serve from 20 to 60 years in jail yesterday, for raping one young girl and trying to rape two others early last winter.

Only 16, Boseman pleaded guilty to all charges on March 12. He lives at 1924 11th st. nw. He drew maximum sentences yesterday from Judge Alexander Holtzoff: 10 to 30 years for raping a 16-year-old girl in the 1300 block of Sheridan st. nw., on November 20; and consecutive sentences of 5 to 15 years for attempting to rape a 10-year-old girl near Nativity Convent on November 12, and a 20-year-old housewife in the 6000 block of 13th pl., on December 4.

Washington

In another sentence, a man who has spent more than three years in District Jail's death row awaiting electrocution for first degree murder, was sentenced to serve from 5 to 21 years for second degree murder.

Sailor Convicted Of Assault; Rape Charge Quashed

Edward F. Hewitt, 25, was found guilty in Municipal Court yesterday of assaulting a waitress.

Hewitt, a Navy seaman, was convicted by Judge Thomas C. Scalley of simple assault and turned over to Naval authorities. The grand jury refused to indict Hewitt for rape, as the woman charged, and returned the case to Municipal Court for prosecution.

Hewitt was convicted of assaulting Sylvia Yeles, 27, of 105 2d st., ne., i na car parked just off the Sousa Bridge on Anacostia Pkwy., se.

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2 Former GI Students Acquitted on Charge Of Assaulting Girl, 13

An Upper Marlboro Circuit jury has cleared two former University of Maryland GI students of attempting to attack a 13-year-old District colored girl April 28, 1950, in a Berwyn, Md., tourist cabin.

Acquitted yesterday of both counts of indictments charging assault with intent to have carnal knowledge, and assault and battery were George T. Glorius, jr., 24, 2700 block Nicholson street, Hyattsville, and Harold E. Skipper, 25, 2300 block of Rhode Island avenue N.E. Both men were married at the time.

The all-white panel of three women and nine men deliberated 45 minutes before handing in their verdict to Judge Charles C. Marbury.

Washington

The girl testified that she accompanied the men to the cabin voluntarily and that both unsuccessfully and without using force attempted to have illicit relations with her.

27e(2)

Glorius and Skipper admitted that at separate times they had occupied the cabin with the girl but both denied they had attempted to assault her. They claimed the girl told them she was 18 years old.

Tatum Wins New Trial

Rape Conviction Upset; Judge Calls It Sad Day for Women

The rape conviction of Ernest Tatum was set aside yesterday by a split decision of the United States Court of Appeals.

In one of the most scating dissents in the history of the court, Judge Bennett Champ Clark called the appeals court decision "truly shocking," "flimsy" and "unsound."

Post

"In my settled judgment this is a sad day for the enforcement of the criminal law and for the safety of women and children in the District," Judge Clark said.

A 28-year-old laborer, Tatum was convicted February 2, 1950, of raping a 9-year-old girl the previous July near the railroad tracks at 2d st. and Fla. ave. ne. The child required two blood transfusions and 22 stitches as a result of the rape.

A District Court jury recommended the death penalty after deliberating less than two hours. Tatum has been in death row awaiting electrocution for the last 16 months.

Jan. 5-6-51

The majority decision, written by Judge David Bazelon with Judge E. Barrett Prettyman concurring, sends the Tatum case back to District Court for retrial.

The reversal was based on two issues, neither of which was raised in the Court of Appeals by Tatum's counsel, George E. C. Hayes: first, because District Court Judge Alexander Holtzoff failed to instruct the jury on the question of insanity; and second, because Judge Holtzoff told the jury "defense counsel with commendable candor . . . admits that a verdict of guilty is proper under the circumstances" and failed to remind the jurors that they alone should determine guilt or innocence.

"We are not unmindful of the serious import of reversing a criminal conviction," Judge Bazelon wrote. "We are concerned here with the preservation of safeguards which rest upon our faith in the worth and dignity of the individual. Their application is necessary here to prevent the possibility that punishment will be imposed upon one who may be without the power to reason and therefore may not be subject to blame."

Judge Clark started his opinion with a simple "I disent."

"In my opinion this is a truly shocking decision, the most shocking that has emanated from this court and ranking among the most shocking judicial decisions. It is one step below the famous decree of the Supreme Court of Missouri, many years ago, when it reversed outright a first degree murder case on the ground that the grand jury had inadvertently left out the word 'the' in the indictment.

"Here at a time when the wave of sex crimes has reached such an alarming extent that Congress, the Bar, the prosecuting officials and the press have been aroused as never before to the necessity of stamping it out, it remains for the highest court of this jurisdiction to flout the necessity for reform by reversing this case on a technicality so flimsy and unsound that it had to be evolved out of the inner consciousness of a member of the majority."

Washington

Hayes' strategy of admitting guilt in an effort to avoid the death penalty was sound even after the admission by his own counsel, but I insist that it was not a reversible error.

"The other point labored by the majority is that Judge Holtzoff erred in failing to give, wholly on his own motion, an unasked for instruction that the Government had to prove Tatum's sanity beyond a reasonable doubt."

The burden is on the accused to overcome the presumption of sanity, the judge said, and "in this case no insanity has been alleged except by the majority of this court. It was not an issue at the trial."

Judge Clark said he wished he might have "the childlike faith and credulity of his colleagues" to believe that if Tatum were acquitted on retrial because of insanity "he need not be set free, but might be committed to a mental institution, thereby satisfying the interest of society."

"To anyone old enough to read a newspaper the melancholy history of these cases is all too plain," Judge Clark said. "Sex criminals are received into an institution and in a few months are discharged as cured."

Fireman Wins Acquittal on Rape Charge

An all-male Prince Georges County jury last night acquitted a 25-year-old District fireman on a charge of raping a 19-year-old Government girl.

Post 27e(2)

10-E

Ari 4-27-51

Washington

The defendant, Benjamin Aquilino of Kent Village, Md., received a warm handshake from two other firemen in the Upper Marlboro courtroom when the jury announced its verdict at 9:05 p. m., after two hours and 33 minutes' deliberation. The girl had left when the trial ended.

Less than an hour earlier, the jury foreman asked the court for a definition of assault and battery. After it was given, the jury resumed its deliberations.

Pleading his innocence, Aquilino testified that the attractive brunette consented to come to his apartment March 17, when the alleged attack occurred and did not protest when he made advances.

The girl said she was lured to the fireman's new apartment on an excuse of helping him plan interior decorations. After they arrived he threatened her with a knife, she said, and then raped her twice.

State's Attorney Carlyle J. Lancaster charged that Aquilino "carefully laid a trap" for the girl. Testimony brought out that the couple had several dates and once enjoyed "a simple supper" in his apartment.

Dr. John T. Maloney, Prince Georges medical examiner, said he examined the girl after police had been called by a friend. The doctor said there was a large bruise on her chin, another bruise on her collarbone and a scratch on her cheek. Until the preceding few hours, he said, the girl had been a virgin.

Countering the girl'stestimony that he had threatened to "cut my throat from ear to ear unless I gave in," Aquilino testified that after the affair, the girl grabbed a knife he had brought into the bedroom to open a bottle of wine, and advanced toward him with the knife.

Aquilino said he grabbed her arm and in the ensuing struggle, both fell to the floor. It was then, he claimed, the girl received her injuries.

Defense Attorney Ignatius Keane coud not shake the girl's story.

She arrived in Washington last January 15 from her home in Tennessee, she said. Aquilino said he struck up an acquaintance with her when she walked past the firehouse at Connecticut ave. and Porter st. where he was on duty to her nearby room.

Rape Trial Shifted From Prince Georges

Trial of a rape case against Norman R. Strait, 41, of Riverdale, was ordered transferred to a Baltimore court yesterday in Prince Georges County Circuit Court.

27e(2) 10-E

The action was initiated by Strait's attorney, A. Gwynn Bowie, who contended his client could not now get a fair trial because of "unwarranted and sensational" publicity in Washington and Baltimore newspapers.

Post

Strait, a paroled sex offender, is accused of raping a 72-year-old Bladensburg woman last February 1.

Earlier, Bowie had sought to have Strait released on the ground he was improperly indicted because grand jury witnesses testifying against him were not sworn in open court. The Maryland Court of Appeals failed to rule in Strait's favor, however, and he was subsequently reindicted with the prosecution witnesses being sworn inside the courtroom instead of an anteroom.

In legal papers filed yesterday, Bowie sought transfer of the case away from Southern and Western Maryland Court contending that future jurors had been influenced.

Judge Charles C. Marbury ordered the case transferred to Baltimore County Circuit Court. He had no option but to approve the request, court officials explained.

Retrial Ruled In Rape Case

Post

Ari 11-9-51

The United States Court of Appeals yesterday granted a new trial to Joseph Leonard Mason, 34, a laborer convicted of rape in December, 1948.

"A careful consideration of the whole record leaves us in serious doubt that the appellant (Mason) enjoyed, in a full sense, due process of counsel," the court declared.

Washington

27e(2)

Mason, who was sentenced to 10 to 30 years in prison by District Court Judge Edward M. Curran for ravishing a 22-year-old roomer at 30 P st. ne. on August 25, 1948, was represented at the trial by Attorney Robert I. Miller.

10-E

According to a brief filed by Attorney Bernard I. Nordlinger, Miller denied Mason had an opportunity to testify after the defendant had requested it. Further, the brief noted, Miller presented no witnesses on behalf of Mason.

U. S. Supreme Court Sets Aside Rape Conviction Of 2 Negroes

Advertiser

4-10-51

Montgomery

Ala.

WASHINGTON, April 9—(AP)—The Supreme Court set aside Monday the conviction of two Florida Negroes who had been sentenced to die for the rape of a white girl.

Two justices said their trial was "but a legal gesture to register a verdict already dictated by the press and the public opinion which it generated."

But the majority of seven justices reversed the judgments because Negroes were excluded from the trial jury. Their brief order did not discuss other issues.

Rape of the 17-year-old girl brought racial violence to little Groveland, Fla. in July, 1949, White mobs attempted a lynching and burned Negro homes. Negroes fled the community. One Negro suspect was killed when he resisted arrest. Troops were called to restore quiet.

In another case, of possible great significance, the court agreed to decide whether doctors can organize their own non-profit hospital and health insurance programs.

This case came from Oregon, but the Jusice Department has investigated similar plans in more than a dozen states. The Government says the Oregon plan violates anti-trust laws.

27e(2)

The American Medical Association has blasted the Justice Department moves as an effort to "terrorize the medical profession" and impose the Truman Administration's plan for compulsory government health insurance.

Called Menace To Justice

Justice Jackson, with Justice Frankfurter agreeing, wrote the opinion charging that the trial of Samuel Shepherd and Walter Irvin, the Florida Negroes, was an example of "one of the worst menaces to American justice."

In a comment from the bench, not included in the written opinion, Justice Jackson said, "it is becoming a question whether under modern methods of publicity a fair trial can be granted any man."

The written opinion said newspapers printed stories of alleged confessions by the Negrose, which jury members read, but the confessions were never even mentioned in court. "It is hard to imagine a more prejudicial influence," Jackson wrote.

He said there were many other "highly prejudicial" articles, and criticized a cartoon, published when the grand jury met, picturing electric chairs under the heading "no compromises — supreme penalty."

Jackson said the crime stirred deep feeling and this "was exploited to the limit by the press."

"If freedoms of press are so abused as to make fair trial in the locality impossible," he wrote, justice should be protected by moving the trial to another area.

Defense attorneys asked to have the trial removed, but their motion was denied.

Jackson said it wouldn't have made any difference if Negroes had been included in the jury because he couldn't see "how any Negro on the jury would have dared to cause a disagreement or acquittal.

"The only chance these Negroes had of acquittal would have been in the courage and decency of some sturdy and forthright white person of sufficient standing to face and live down the odium among his white neighbors that such a vote, if required, would have brought."

Under Mondays decision, the entire trial is set aside and it is up to local prosecuters to determine the next step, if any.

Reindict Two In Groveland Case

27e(2)

TAVERES, Fla., (INS)—Two 23-year-old men who were saved from the electric chair by a U. S. Supreme court decision have been reindicted for the same crime.

They are Samuel Shepherd and Walter Lee Irvin, convicted of raping a young white farmer's wife in the Groveland case back in 1949.

7-14-51

The conviction was upheld by the Florida Supreme court, but the federal body claimed the original action was prejudiced. Irvin and Shepherd will face trial in November outside of Lake county.

Justice Jackson Scores Press In Rape Conviction Reversal

Constitution

By LEWIS WOOD

Special to The New York Times and The Atlanta Constitution

WASHINGTON, April 9—The conviction of two Florida Negroes for rape of a young white girl was unanimously reversed by the Supreme Court Monday.

However, Justice Robert H. Jackson, supported by Justice Felix Frankfurter, did not think his colleagues had gone far enough in upsetting the convictions solely because Negroes were discriminated against in the jury selection. Commenting that the crime had "stirred deep feeling" in the area, these two justices said the situation was "exploited to the limit by the press."

4-10-51

Atlanta Ga.

"Reversal solely on the jury point was to stress the trivial and ignore the important," Jackson contended, while saying that the general circumstances of the trial were so prejudicial as to bar the prisoners from a fair hearing in any event. Jackson discussed "highly prejudiced" newspaper articles concerning the Florida trial.

Justice Jackson wrote these views in a concurring opinion, joined by Frankfurter.

Samuel Shepherd and Walter Irvin, whose conviction was upset by the unanimous Supreme Court, had been sentenced to die for rape of a white girl, then 17 years old, near Groveland, Fla., July 16, 1949. Four Negroes were involved in the rape charge, but the jury recommended mercy for one, a minor, while the fourth was killed resisting arest.

The alleged offense aroused the area. The homes of Shepherd and others were burned. National Guard troops were dispatched to the area.

Reversal of the conviction was achieved by a short Supreme Court order, merely citing the name of a previous case, where the Supreme Court stated that the Constitution "required only a fair jury selected without regard to race."

This, by no means satisfied Jackson and Frankfurter. Jackson wrote in the concurrence, that "prejudicial influences outside the courtroom" bore so heavily on the jury, that the trial was merely a "legal gesture to register a verdict already dictated by the press and the public opinion which it generated."

Jackson said the newspapers published as a fact, and attributed to the sheriff, a statement that the Negroes had confessed. Witnesses and prospective jurors said they had read or heard this statement, but no confession was offered at the trial.

The Supreme Court, Jackson added, "has recently gone a long way to disable a trial judge from dealing with press interference" with trials.

"No doubt," he said of the Florida case, "the trial judge felt helpless to give the accused any real protection against this out-of-court campaign to convict. But if freedoms of the press are so abused as to make fair trial in the locality impossible, the judicial process must be protected by removing the trial to a forum beyond its probable influence. Newspapers, in the enjoyment of their constitutional rights, may not deprive accused persons of their right to fair trial."

U. S. INQUIRY IS SET IN FLORIDA KILLING

27e(2)

Two Negroes Awaiting a New Trial Are Shot, One Fatally —Sheriff Pleads Defense

11-8-51

EUSTIS, Fla., Nov. 7 (AP)—The Justice Department directed today an investigation of the shooting last night of two Negroes who had won a new trial after receiving death sentences for an attack on a young white farm wife. Willis B. McCall, Sheriff of Lake County, admitted the shooting and said it was self-defense.

One of the two men, Samuel Shepherd, 23 years old, was killed. His companion, Walter Lee Irvin, also 23, was wounded seriously.

The United States Supreme Court had reversed a 1949 decision that sentenced the two to death on the ground that Negroes had been excluded from the trial jury.

In Washington, Attorney General J. Howard McGrath ordered Justice Department officials to seek to determine whether any violation of Federal statutes was involved.

New York N.Y.

Shepherd and Irvin were being taken to Tavares near this little Central Florida town for a hearing on two motions in connection with a retrial, Sheriff McCall said the pair attacked him when he stopped to repair a flat tire.

The Sheriff was ordered into a hospital by a doctor who said Mr. McCall was suffering from shock and had been under treatment for a heart ailment for several years.

When word spread in July, 1949, that a 17-year-old girl had been attacked, racial violence broke out in Groveland about thirty miles southwest of here.

Sheriff McCall talked a mob out of taking Shepherd and Irvin from the Lake County jail soon after their arrest. While the sheriff argued with the mob, the men were hidden in his home until they could be transferred for safekeeping.

A third Negro, Charles Greenlee, who was captured later, was convicted with Shepherd and Irvin but the jury recommended mercy because of his youth. He is serving a life sentence.

A fourth suspect, Ernest Thomas, was shot to death by a posse near Greenville—150 miles northwest of Eustis—several weeks after the attack.

In New York today, a spokesman for the National Association for the Advancement of Colored People said its president, Walter White, had telegraphed President Truman asking for an investigation of the Eustis shootings "by every appropriate Government agency."

The C. I. O. convention in New York was told of the shooting by Walter P. Reuther, United Auto Workers president, who said "this is not the first time a Negro prisoner was shot * * * because he was alleged to have tried to escape." He said Communists had used such instances for propaganda purposes.

Tragic Groveland Case Up On Dec. 6

Afro-American Dat. 12-8-51

P. 3

Baltimore

NEW YORK—Court action in the celebrated Groveland case, tragically interrupted when Sheriff Willis McCall of Lake County, Fla., killed Samuel Shepherd, one of the defendants, and seriously wounded Walter Irvin, the other, will resume next Thursday, Dec. 6, it was announced Thursday by attorneys for the NAACP.

The NAACP is moving for a charge of venue for the second trial of Walter Irvin, on the ground that the passion and prejudice in the community is even more severe now than at the time of the original trial.

The convictions of Shepherd and Irvin, tried in Lake County in the late summer of 1949, were unanimously reversed last April by the United States Supreme Court, with Justice Robert H. Jackson issuing a biting opinion denouncing the role played by the local press in preventing a fair trial.

Chances Jeopardized

The NAACP holds that the publicity given the case since the shootings of the defendants, and the subsequent whitewash by local authorities of the "investigation" which followed, will stigmatize Irwin as having "attempted to escape" and jeopardize his chances for a fair trial in Lake County even more severely.

Also to be heard by Judge Truman Futch of Lake County Circuit Court are NAACP motions to disqualify the State's Attorney, Jess Hunter, as prejudiced, and to suppress illegally obtained evidence.

Alex Akerman Jr. of Orlando will represent the NAACP at the hearings. He will be assisted by Special Counsel Thurgood Marshall, Assistant Special Counsel Jack Greenberg and Paul Perkins, attorney of Orlando.

World-Wide Attention

Sheriff McCall's cold - blooded shooting of his prisoners on a dark country road, as he was transporting them from the State Penitentiary at Raiford to attend the hearings (orginally scheduled for Nov. 7, the day after the shooting), and his exoneration by local and State authorities, had repercussions throughout the world.

The case was widely discussed by delegates to the Paris session of the United Nations General Assembly, with Soviet Foreign Minister Andrei Vishinsky seizing upon it as a subject for a speech bitterly denouncing the United States and its racial policies.

Decries "Southern Justice"

Before leaving for Florida, Marshall summed up the present situation inthese words: "As matters now stand two colored men have already lost their lives as a result of this charge of attack of a white woman; one being killed by a sheriff's posse and one by Sheriff McCall.

Another is serving a life sentence. The fourth, Walter Irwin, although shot twice in the chest and once in the neck, must still stand trial and face the threat of the electric chair. This is typical 'Southern Justice.'"

Ask Protection As Groveland Case Re-Opens

Defender

12-8-51

NEW YORK—As hearings were set to open this week in the notorious Groveland, Fla., case, the NAACP appealed to Gov. Fuller Warren of Florida to take precautions to prevent a repetition of the tragedy of a few weeks ago, when Sheriff Willie McCall killed Samuel Shepherd and seriously wounded Walter Irvin, defendants in the case.

Irvin, who has been in the prison hospital at Raiford since doctors allowed him to be moved from Waterman Memorial hospital, Eustis, several days after the shooting, was scheduled to be brought back to Tavares for the hearings Thursday.

Sheriff McCall was transporting Irvin and Shepherd from the state penitentiary at Raiford to Tavares, Fla., where hearings were scheduled to begin Nov. 7 on preliminary motions in a new trial ordered for the two by the United States Supreme court.

Thurgood Marshall, special counsel for the NAACP, wired Governor Warren that "in the name of human decency and justice we urgently request that you replace Sheriff McCall and have Irvin transported by state officials other than McCall."

31

8239

Negroes Excluded From Jury

27e(2)

Seek Reversal Of Opinion By Florida Court

Fla -

WASHINGTON — Argument in the Groveland, Fla., case involving the lives of two young Negroes was heard by the United States Supreme Court on Friday March 9. Attorneys for the National Association for the Advancement of Colored People seek a reversal of the lower court decision which doomed Samuel Shepherd and Walter Irvin to death.

Call

The two, along with Charles Greenlee, were convicted in 1949 on the charge of raping a young Florida housewife. A fourth man, accused of the crime, was shot to death by a deputized mob. Greenlee, then 16 years of age, was tried and convicted with Shepherd and Irvin, but given a life sentence instead of death. The Florida Supreme Court upheld the lower court decision.

In the hearing before the U.S. Supreme Court, NAACP attorneys asked a reversal of the lower court decision on the grounds that the system of jury selection is unconstitutional; that counsel had inadequate time to prepare the defense; and that the trial was conducted in an atmosphere of hatred and violence.

Makes Laws

Other attorneys associated with the case are Alex Akerman Jr., of Winter Park, Fla.; Thurgood Marshall, NAACP special counsel; and Jack Greenberg and Mrs. Constance Baker Motley, assistant special counsel, all of New York.

Attorneys for the condemned youths argued in the Supreme Court that Shepherd and Irvin were denied the guarantees of the Fourteenth Amendment in that the jury was chosen under an admitted policy of selecting jurors according to a system of "purposeful racial proportionate representation," which limited the number of colored persons on juries because of their color.

The jurors were selected from the registered voters so that colored people were proportionally represented, that is, the number of colored jurors selected was in the proportion that the number of colored registered voters bore to the total number of registered votes.

Reeves Bowen, Assistant Attorney General of Florida, sought to justify the racial limitation as "the only method that is humanly possible, practicable, and fair to both races."

The case was argued in behalf of Shepherd and Irvin by Robert L. Carter, of New York city, and Franklin H. Williams, of Berkeley, Cal., attorneys for the National Association for the Advancement of Colored People.

The NAACP lawyers argued that the system employed deprived or reduced the probability of Shepherd and Irvin being tried by a jury composed solely or largely of colored persons by limiting the number of colored persons on the jury panel.

For example, if the quota of colored jurors were filled before selection of the entire panel, qualified colored persons who might afterwards have been chosen would be rejected solely because of color.

The "pernicious effects" of the Lake County jury system, it was contended, were "aggravated" by the fact that the list from which the panel was selected was one on which the proportion of colored people to whites in the general population.

27e(2)

State law did not limit jury service to qualified voters. But Bowen argued that the county commissioners, who selected the jurors, were required by statute to select only persons who possessed sound judgment, intelligence and discretion. He said this justified the exclusion of persons, white and colored, who showed their lack of these qualities by failing to register to vote.

Call

According to census figures, Lake County has a total population over 21 years of age of approximately 13,500, of whom approximately one-third or 4,500 were colored. There were in the county 14,182 registered voters, of whom 13,389 were white and 802 were colored.

Testimony at the trial indicated that the number of colored persons possessing the general qualifications for jury services was in the same proportion as white persons. State witnesses testified as to the character, reputation and status of colored persons in the county.

The NAACP lawyers contended that selection of the jury from the registered voters in the county reduced the proportion of available colored persons to about a sixteenth.

Two other points also were pressed before the Supreme Court. One was that Shepherd and Irvin in being denied a postponement of their trial were denied adequate assistance of counsel. The other was that denial of a motion for change of venue and the motion for a continuance violated the due process clause by compelling the two youths to undergo a trial dominated by passion and prejudice.

Shepherd and Irvin were arrested for the crime in Groveland on the morning of its commission. Also arrested was Charles Greenlee, a 16-year old youth. They were taken to the county jail at Tavares, Fla.

When the white community learned of the alleged crime, mob violence erupted in Groveland and adjoining communities. A suspect, Ernest Thomas, was shot and killed by a sheriff's possee in in a swamp where he had taken refuge.

In the wave of terror and night-riding that followed, Shepherd's home and the homes of other colored families were burned. A colored cafe was riddled with bullets, and a threat was made to destroy Sturkey's Still, a colored settlement west of Groveland.

At the trial, Shepherd and Irvin attempted to testify that they had been beaten, but the trial judge sustained objections to such testimony.

The sheriff was accused of intimidating the defendants and threatening to arrest their attorneys. He denied this charge, stating "I asked them if those ni—— lawyers were putting the stuff in their head that they were trying to—the same poison that they were putting in the northern newspapers."

It was necessary to move the prisoners from the county jail to the state prison. The order for their removal stated that there was not time to first communicate with the governor.

The governor called the National Guard from nearby Leesburg, Eustis and Tampa, and the guard patrolled the main streets of Groveland and Mascotte, a community about three miles west of Groveland. It remained on duty during the grand jury session at which an indictment against Shepherd, Irvin and Greenlee was returned July 20, 1949, and for about a week afterwards.

The entire colored community in Groveland abandoned their homes, farms and businesses and fled to nearby Lakeland, Orlando and Leesburg.

Newspapers, which circulated in Lake County, carried inflammatory articles, cartoons and pictures during the period from July 17 to August 14, 1949. The Orlando Morning Sentinel on July 19. 1949, the day before the indictment was returned, carried on its front page a cartoon showing four electric chairs and the caption, "No Compromise—Supreme Penalty."

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sistently whipped up anti-Negro hysteria and lynch spirit, a column signed by Frederick Sullens in the March 7 edition warns CRC lawyers that "if they ever appear in Mississippi as lawyers or as individuals, it will be one time too often. Too bad the courts can't send some lawyers to the electric chair along with their clients."

WHEN RIGHTS COLLIDE

Justice Jackson's opinion dealing with the collision between the constitutional freedom of the press and the constitutional right of an accused person to fair trial will be read with deep interest by bar and press. The Supreme Court reversed the conviction of two Florida Negroes sentenced to death on a rape charge involving a white girl. The court, while not writing an opinion, found discrimination in a selection of a jury that included no Negroes. Justice Jackson, joined by Justice Frankfurter, concurred in the reversal but went to the heart of an issue they considered more substantial—conviction by public opinion before trial by jury.

"Newspapers published as a fact, and attributed the information to the Sheriff, that these defendants had confessed," says Justice Jackson. No one repudiated the story. The Sheriff did not. But when the trial occurred the "confession" was not offered by the prosecution. Justice Jackson concludes that the story of the confession must either have been false or that the confession was obtained under such circumstances that it would be inadmissible under rules of evidence.

27e(2)

4-17-51

Witnesses and persons called as jurors admitted they had read or heard of the confession. Yet there was no opportunity for the defendants to confront those who had witnessed its taking, or to question or to cross-examine. Justice Jackson concludes that "newspapers, in the enjoyment of their constitutional rights, may not deprive accused persons of their right to fair trial."

There is little doubt, we believe, that, as Justice Jackson says, this Florida case "presents one of the best examples of one of the worst menaces to American justice." The solution is not easy, but we believe it does not lie in legislation. Like many other of our most disturbing problems of the moment, the cure lies in self-discipline, not only by the press and the radio and other forms of communication, but also by police officers, prosecuting officials and the judiciary itself. The Association of the Bar of the City of New York has actively concerned itself with the problem. It has conferred with publishers. We would hope that there might eventually emerge a code of ethics which guided responsibility for those who publish and those who give out information, and that a standing committee composed of bar, District Attorneys, judges and members of the press and like agencies would set a constant watch on this area.

Former Federal Judge Rifkind, exploring this problem in a recent article, remarked that time-honored judicial procedure, "forged through the generations to the single end that issues shall be impartially determined on relevant evidence alone, works fairly well in all cases but one—the celebrated cause. As soon as the *cause célèbre* comes in, the judges and lawyers no longer enjoy a monopoly. They have a partner in the enterprise, and that partner is the press."

The Florida case, the pending cases of basketball "fix" in which police and prosecuting officials have reported "confessions," now firmly and widely established in the public mind as fact in advance of trial, have fitted the Rifkind description of the celebrated cause. All testify to the gravity of this problem of justice and indicate, as did the recent Kefauver hearings, a need for prompt application of remedies in which the press, radio and television should cooperate toward a temperate and wise solution. An ethic of responsibility (to which public officials also subscribe) will forestall those who would curtail freedom by law.

State Admits Jury Inequities

U.S. Court of Appeals Hears Groveland, Fla. Terror Case

Courier - Sat 3-24-51

27e (2)

WASHINGTON—Assistant Attorney General Reeves Bowen of the State of Florida admitted last week before the United States Supreme Court that a system of racial proportional representation had deliberately been used in the selection of a jury to try the defendants in the famed Groveland rape case of 1949.

Attorneys for the NAACP arguing on March 9 before the nation's highest tribunal, asked for a reversal of the convictions and death sentences of Samuel Shepherd and Walter Irvin on three grounds: first, that the lower court had erred in not granting a continuance, or postponement, of the trial, to give defense counsel adequate time to prepare their case; second, that the passion and prejudice existing in the community at the time made a fair trial impossible and that a change of venue should have been granted, and third, that the jury was selected in an unconstitutional fashion.

CARTER'S POINT

On the jury question NAACP Assistant Special Counsel Robert L. Carter noted that Florida did not deny that the jury was chosen from the voters' registration rolls, in the proportion of one Negro to every eighteen white persons. (The ratio of Negroes to white persons in the county eligible for jury service is 1:4.) Such proportional representation in the selection of juries, Mr. Carter asserted, violates the due process clause of the Fourteenth Amendment.

Florida's attorney attempted to justify the state's position on the ground that unless Florida jury comissioners consciously selected jurors in proportion to race, they would never think of placing Negro citizens on their juries "any more than on a list for a social function."

RACIAL TENSION

Franklin H. Williams, NAACP West Coast regional director, who as assistant special counsel participated in the defense of the Groveland accused in the trial court and in the Florida Supreme Court, described the atmosphere of racial tension that permeated the small citrus community up until the time of the trial.

Attorneys associated with the case, in addition to Mr. Carter and Mr. Williams, were NAACP Special Counsel Thurgood Marshall; Alex Akerman Jr. of Orlando, Fla., who served as co-counsel in the trial court and Florida Supreme Court; James M. Nabrit Jr. of Howard University Law School, and Jack Greenberg, NAACP assistant special counsel. The court is expected to hand down its decision on any Monday following its current recess.

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2 Reprieved In Rape Case

~~Constitution~~

Shot on Road

Times 11-8-51

Probe Ordered In Fla. Death

~~Atlanta~~

EUSTIS, Fla., Nov. 7—(U.P.)—Two Negroes given a reprieve from a death sentence for rape by the U. S. Supreme Court were shot by a county sheriff and the Justice Department promptly ordered an investigation Wednesday.

Sheriff Willis McCall said he killed Samuel Shepherd and critically wounded Walter Lee Irvin when they attempted to escape while he was changing a flat tire on his automobile along a lonely stretch of road a few miles north of here. Both were handcuffed.

27e (2)

The CIO in convention in New York and the National Association for the Advancement of Colored People called on President Truman to order "every appropriate Government agency to investigate . . . this cold-blooded slaying."

Shepherd and Irvin were the last of four Negroes involved in the widely publicized Groveland rape case of 1949, which touched off mob violence in Lake County.

One of the four Negroes was killed at the time by a posse. A 16-year-old youth was given life imprisonment and Shepherd and Irvin were sentenced to die in the electric chair. The U. S. Supreme Court tossed out their convictions because they were tried in "an atmosphere of prejudice."

Shepherd and Irvin, both 22, were being brought from Raiford State Prison to county jail for a hearing Wednesday, preliminary to their new trial scheduled next week, when the shootings occurred.

Sheriff McCall told State Attorney J. W. Hunter his prisoners "jumped" him when he stopped to repair the flat tire. McCall suffered a gash over one eye and shock to the extent that he was admitted to a hospital here. He refused to see newsmen or comment on the incident.

Hunter said when he arrived at the scene about midnight the two Negroes were lying against an embankment still handcuffed. Shepherd was dead and Irvin in critical condition.

"I hate that it had to happen," the sheriff told Hunter.

McCall was praised by Gov. Fuller Warren in 1949 for the way he handled the mob violence set off by the four Negroes' alleged rape of a 17-year-old housewife. His calmness and persuasion helped disperse an aroused group of white men at the time mobs were burning Negro homes.

Associated Press Wirephoto

SHOOTS PRISONERS
Sheriff McCall.

Probe Ordered In the Shooting Of 2 Negroes

27e (2)

Times-Dispatch

One of Accused Rapists Killed, Other Wounded

Richmond, Va

EUSTIS, FLA., Nov. 6—(AP)—The Justice Department today directed an investigation of the shooting of two Negroes who had been granted a new trial after receiving death sentences for the rape of a young white farm wife.

Lake County Sheriff Willis B. McCall admitted the shooting and said it was in self-defense. It took place around 9:30 P. M. Tuesday.

Thurs, 11-8-51

One of the Negroes, Samuel Shepherd, 23, was killed. His companion, Walter Lee Irvin, also 23, was seriously wounded.

The United States Supreme Court had reversed a 1949 decision which sentenced the pair to death.

A little over two years ago, McCall talked a mob out of taking them from the Lake County jail soon after their arrest. While McCall was arguing with the mb, the Negroes were hidden in his home until they could be transferred elsewhere for safekeeping.

Tells of Attack

Shepherd and Irvin were being taken to Tavares, near this Central Florida town, for a hearing on two motions in connection with a retrial.

McCall said the pair attacked him when he stopped to fix a flat tire.

The sheriff was ordered into a hospital by a doctor who said McCall was suffering from shock and had been under treatment for a heart ailment several years. Reporters were not permitted to talk to him.

State Attorney J. W. Hunter and Alex Akerman, Jr., of Orlando, one of the Negroes' attorneys, said they would ask Governor Fuller Warren for a special investigation.

The Justice Department's investigation was ordered by Attorney-General McGrath in Washington. Department officials will seek to determine whether any violation of Federal statutes is involved.

When word spread in July, 1949, that a 17-year-old girl had been raped, racial violence broke out in Groveland about 30 miles southwest of here. White mobs rode through the Negro section and several Negro houses were burned. Negroes fled the community.

The National Guard was called out to restore order.

A third Negro, Charles Greenlee was convicted with Shepherd and Irvin but the jury recommended mercy because of his youth. His case was not appealed and he is serving a life sentence.

A fourth Negro suspect, Ernest Thomas, was shot to death by a posse near Greenville—150 miles northwest of Eustis — several weeks after the rape.

In New York today, a spokesman for the National Association for the Advancement of Colored People said President Walter White had telegraphed President Truman asking for an investigation of the Eustis shootings "by every appropriate government agency."

Warns of "Whitewash"

The telegram urged that local authorities not be allowed to "whitewash" the case.

The CIO convention in New York was told of the shooting by Walter Reuther, United Auto Workers president, who said "this is not the first time a Negro prisoner was shot . . . because he was alleged to have tried to escape."

He said Communists used such instances as the Florida shooting for propaganda purposes and demanded that both political parties take active steps to carry out civil rights programs.

The Florida Supreme Court confirmed the conviction of Shepherd and Irvin but the United States Supreme Court set it aside because Negroes were excluded from the trial jury. The brief order didn't discuss other issues.

New Groveland Trial Okayed

Mixed Reaction Greets Ruling

Courier Sat. 4-21-51

27e(2) Fla.

By JOHN A. DIAZ

TAVARES, Fla.—How did Florida react to the U. S. Supreme Court decision setting aside the Groveland convictions? Reactions were mixed. Discussing the decision ordering a new trial and change of venue, State's Attorney J. W. Hunter told the Courier last week that he didn't care in what county the new trial is ordered held.

It was Hunter who in July 1949, prosecuted Samuel Shepherd and Walter Irvn for allegedly raping a 17-year-old white housewife near Groveland in 1949.

BLISTERING OPINION

The two men were given the death sentence. Charles Greenlee, 16, received a life sentence, and a fourth man in the case, Ernest Thomas, was shot and killed. Shepherd and Irvin appealed. The Supreme Court set aside their convictions and ordered a new trial in a blistering opinion delivered by Mr. Justice Jackson.

4-21-51

On the other hand, State Attorney General R. W. Erwin said he was "very disappointed" by the decision; State Supreme Court Justice Glenn Terrell said he was not surprised at the reversal, and Circuit Judge T. G. Futch who presided over the trials here refused to make any comment on the Supreme Court decision.

NO OBJECTIONS

When asked by the Courier whether he would object to having the retrial as far from Groveland as Jacksonville, he said that he did not mind having the retrial there.

State Attorney Hunter, who was most cordial in discussing the Supreme Court decision on the Groveland case said that he had not yet received the mandate for the retrial from the U. S. Supreme Court. He told the Courier that he was very fond of Atty. Franklin H. Williams of the NAACP, who was associated with Atty. Alex Akerman Jr. in defending Shepherd and Irvin, and Charles Greenlee, 16. The latter did not appeal against his life imprisonment sentence.

The cordial attitude of State Attorney Hunter was in striking contrast to the defiant and sarcastic attitude of Sheriff Willis V. McCall, who is reported to have charged the U. S. Supreme Court with bowing "to subversive influences" in reversing the lower court which had convicted the three young Negroes.

DISPUTES JACKSON

McCall is reported to have said: "In Justice Jackson's statement he intimates that the influence of the local newspapers pre-wrote the verdict of the case.

"This is untrue. The mere fact, as I stated before, that mercy was recommended for Greenle is definite proof that the jury and court were impartial. The fact that they did not appeal the case of Greenlee along with the other two is an admission of guilt.

"The fact is that our U. S. Supreme Court let a few minority groups such as the NAACP and their eloquent and sensational lies and the receiving of awards from the CIO Newspaper Guild, such as received by Ted Poston, Negro writer for the New York Post, influence them to such a prejudiced extent that they saw fit to reverse one of the fairest and most impartial trials I have ever witnessed.

"It is shocking to think that our Supreme Court would bow to such subversive influences."

SHERIFF IS WRONG

Sheriff McCall's statement in regard to the fact that attorneys for Greenlee did not include him in the appeal because he presumably was guilty, is contrary to what the attorneys told the Courier at the time that the appeal was being prepared. The Courier was told that the reason for not including 16-year-old Greenlee in the appeal was that Greenlee did not wish to appeal against the life imprisonment sentence.

It is believed by Attorneys Williams and Akerman that the reason Greenlee did not appeal is because he thought that should his appeal fail he would get the electric chair instead of life imprisonment.

Say Trials In Florida Were Unfair

Defender Sat. 2-24-51

27e(2)

WASHINGTON — A battery of attorneys from the NAACP last week asked the U. S. Supreme Court to reverse a decision rendered by Florida courts calling for the death penalty for two Groveland, Fla., youths.

Samuel Shepherd and Walter Irvin face execution on a rape charge. A third youth, Charles Greenlee, was sentenced to life imprisonment.

Prior to the trials of these three men, Groveland was the scene of widespread mob terror, night riding and home burning with Negroes as victims of the attacks. Known as the Groveland Riots, this seige of lawlessness was headlined across the nation in September, 1949.

In such a setting, Shepherd, Irvin and Greenless were tried and convicted. In its petition to the Supreme Court, the NAACP lawyers said:

"When defendants are tried before an unconstitutionally drawn jury at a time when counsel has not adequately prepared their defense, in a community inflamed by passion, then the trial is, in the words of Mr. Justice Holmes, 'a mask.' The outcome, under such circumstances, is inevitable.'

The case is scheduled to be argued in March.

Cites Inflammable Publicity

High Court Reverses Groveland Case Ruling

Argus Fri. 4-13-51

27e(2) Fla.

WASHINGTON, D. C. — The United States Supreme Court this week took a hand in the Groveland, Florida alleged Rape Case of 1949 by striking down the guilty verdict and death sentence penalty imposed on two Negroes and denouncing the type of publicity given the incident by the press of the area.

Men involved were Samuel Shepard and Walter Irvin, who were accused of raping 17 year old Norma Padgette, of Groveland on July 16, 1949.

Justice Robert H. Jackson, who wrote the opinion of the high court, pointed out that Negroes were discriminated against in the selection of a jury and that reversal of the convictions on that point alone was to "stress the trival and ignore the important."

"If freedoms of the press are so abused as to make fair trial in the locality impossible, the judicial process must be protected by removing the trial to a forum beyond its probable influence."

Here Justice Jackson cited headlines which unfairly aroused passion in Florida reading, "Night Riders Burn Lake Negro Homes": "Flames From Many Negro Homes Light Night Sky in Lake County".

He also called attention to a cartoon published by one paper at the time of the grand jury which pictured four electric chairs and was headed, "No Compromise-Supreme Penalty."

The action of the court makes it necessary to try the case again ina different court.

Following the alleged attack Negroes of the Groveland community had to flee their homes for fear of being lynched by incensed white people of the vicinity. Homes of relatives of the two convicted men were burned and both the National Guard and the 116th Field Artillery had to be summoned from Tampa to quell the disturbance.

Two of the justices declared that the case stirred deep racial feeling and that the incident was "exploited to the limit by the press."

SUPREME COURT SAVES NEGROES; HITS RACE BIAS

Tribune

Jackson Charges Abuse of Press Freedom

Tue. 4-10-51

BY WILLARD EDWARDS

[Chicago Tribune Press Service]

27e(2) Fla.

Washington, April 9—The Supreme court today saved from the electric chair two Florida Negroes, convicted of rape. Justice Jackson criticized newspaper and radio coverage of the crime as an abuse of press freedom which made a fair trial impossible.

The defendants, Walter L. Irwin and Samuel Shepherd, were found guilty of raping Miss Norma Padgette, 17, near Groveland, Fla., in 1949. Mob violence resulted from this episode. Four men were accused by Mrs. Padgette. One was killed resisting arrest and another is serving a life sentence.

The court, acting without a formal opinion, merely ruled that racial bias figured in the selection of the jury which tried Irwin and Shepherd and reversed the convictions on that ground. Florida selects jurors proportionately from Negroes and white registered, but no Negro sat on the jury which tried Irwin and Shepherd.

"Menace to Justice"

Jackson, with Justice Frankfurter concurring, issued a separate opinion in which he criticized the majority ruling as stressing "the trivial and ignoring the important." Far more important than the question of discrimination in jury selection, he said, were the conditions surrounding the trial which made it "one of the best examples of one of the worst menaces to American justice."

"Prejudicial influences outside the courtroom, becoming all too typical of a highly publicized trial, was brought to bear on this jury with such force that the conclusion is inescapable that these defendants were prejudged as guilty, and the trial was but a legal gesture to register an opinion already dictated by the press and the public opinion which it generated," Jackson declared.

Altho no confession from the defendants was presented at the trial, newspapers printed as a fact, attributing the information to the sherif, that they had confessed, Jackson noted. Witnesses and persons called as jurors said they had read or heard of this statement. The only rational explanation, Jackson said, for the nonproduction of the confessions was that they did not exist or were illegally extorted.

Unprovable "Confessions"

"Neither counsel nor court can control the admission of evidence if unproven and probably unprovable 'confessions' are put before the jury by newspapers and radio," Jackson stated.

"This court has recently gone a long way to disable a trial judge from dealing with press interference with the trial processes . . . but if freedoms of press are so abused as to make fair trial in the locality impossible, the judicial process must be protected by removing the trial to a forum beyond its probable influence.

"Newspapers, in the enjoyment of their constitutional rights, may not deprive accused persons of their right to fair trial. These convictions do not meet any civilized conception of due process of law."

The mob violence aroused by the crime was reported by the Florida press, Jackson said, in a highly prejudicial manner. He cited a cartoon published at the time of the grand jury, picturing four electric chairs and headed, "No Compromise — Supreme Penalty."

The high court decision permits Florida to try the men again under conditions permitting Negroes to sit on the jury.

Tot Raped; Truck Driver, Sitter Held

Construction

27h(2)

MIAMI, Fla., May 13—(AP)—A 38-year-old truck driver was jailed Sunday following the raping of a four and a half year old child.

Deputy Sheriff E. E. Sistrunk identified the trucker as Noah B. Whidden. The officer said no charges had been filed pending an investigation.

5-13-51

The child was reported in "fair" condition at Jackson Memorial Hospital. Doctors at the hospital said the child had been raped.

Sistrunk said Whidden called at the child's home to give the baby sitter a ride in his car Saturday night. Unwilling to leave her charge alone, the baby sitter took the child with them.

The baby sitter, 24 years old, told police and sheriff's deputies that she pleaded with the trucker not to molest the child, Sistrunk reported. Despite her story, she was held in jail as an accessory, the deputy said.

Charges probably will be filed when the investigation is completed, Sistrunk added.

Bow to U. S. Order

Order New Groveland Trial for 2

By JOHN A. DIAZ

MIAMI, Fla.—In the widely publicized Groveland rape case on which the U. S. Supreme Court decided five weeks ago that there shall be a retrial, the Florida Supreme Court last week ordered a new trial for the two Negroes sentenced to death.

Courier 27e(2)

The prosecutor in the case, State Attorney J. W. Hunter, told the Courier a few weeks ago that he had not yet received the order for a new trial from the Florida court.

Sat. 6-2-51 Fla

MUST MOVE SITE

According to the nation's highest court's order, retrial must be held in another county. There is speculation, therefore, as to which county will receive the new trial. Circuit Court Judge C. T. Futch before whom the trial was held in April, 1949, will have the authority to name the county in which the case will be held.

The Supreme Court decision did not pass upon the guilt or innocence of the accused pair. It was based entirely on the fact that because the trial was conducted in an atmosphere of terrorism and prejudice it was impossible for impartial justice to be done.

CITE EDITORIAL

An editorial in the St. Petersburg Times on April 22, last, said the following:

"The unanimous decision of the United States Supreme Court reversing the Lake County conviction of two Negroes sentenced to death in the Groveland rape case was so manifestly called for that it was fully to be expected.

"We have grave doubts as to the guilt of Walter Irvin and Samuel Shepherd, the two sentenced to death."

That widely read and influential newspaper of West Florida, upon exhaustive investigation of this rape trial which shocked the nation a year and a half ago, published the results of its investigation and revealed some startling new facts about the case. Wrote the St. Petersburg Times:

NEW EVIDENCE

"The Times has investigated this case at length. Times staffer Norman Buin has studied the official transcript of the trial and preliminary hearings, interviewed participants and witnesses and examined the terrain involved.

"He has uncovered evidence for the defendants which was not presented at their trial. A time table shows that one of the defendants could not have been at the scene of the alleged rape. However, the intent here is not to prove the convicted men innocent, but to examine the facts which raise doubt as to their guilt—and, more important—

27e(2) Fla

"To examine the facts supporting the contention that these men did not receive a fair trial. For, if justice can be denied to penniless Negroes, it can be denied to you.

"If a wrong has been done these Negroes, the Florida Supreme Court can free them, or it can order a new trial—in Lake County or in some disinterested area."

This rape case gives signs indicating that it could be another Scottsboro or McGee case.

Groveland Case

Duo Facing New Trial

27e(2)

TAVARES, Fla. — New indictments have been returned against Samuel Shepherd and Walter L. Irvin, young Negroes, once before convicted of rape and sentenced to death in the notorious Groveland case.

Courier

That conviction having been set aside by edict of the U. S. Supreme Court and a new trial ordered, the indictments clear the way for a new trial.

Sat 7-14-51

The new trial has been scheduled for November in a county other than Lake County, where they were originally tried and convicted — along with Charles Greenlee, 16, who is now serving a life sentence for the crime. Greenlee did not appeal from the verdict which ran the gamut to the U. S. Supreme Court and gave his two mates a new trial.

Pittsburgh Pa

In setting aside the convictions of Shepherd and Irvin, the Supreme Court paid much attention to the publicity focused on the entire affair and which it held was partly to blame for the fact that the doomed Negroes did not receive a fair trial.

7-14-51

NEGROES ON JURY

Three Negroes were on the grand jury which returned the new indictments against Irvin and Shepherd.

The NAACP, which investigated the "Groveland Three" case and provided counsel for the three defendants and took their appeal to the nation's highest tribunal, will once again come to the defense of the two men who are veterans of World War II.

The Groveland case was one of the most widely discussed cases in recent years. A young white woman charged that three Negroes raped her. The charge set off a wave of terror which saw Negro homes burned down in Groveland and a mass exodus to safety by some 400 Negro citizens before the Governor called out a company of state militia to quell the uprising.

27e(2) 1951 Florida 8240 33

This used for Supreme Court statement

This Opinion Saved Doomed Florida Men

Justice Jackson's Blistering 'Groveland Terror' Decision

WASHINGTON — Following is the text of the opinion delivered by Supreme Court Justice Robert H. Jackson, in which Justice Felix Frankfurter concurred, dealing with the tribunal's order reversing the rape convictions of two Florida Negroes:

On the 16th of July, 1949, a 17-year-old white girl in Lake County, Fla., reported that she had been raped, at the point of a pistol, by four Negroes. Six days later petitioners were indicted and, beginning Sept. 1, were tried for the offense, convicted without recommendation of mercy and sentenced to death.

The Supreme Court of Florida, in reviewing evidence of guilt, said: "As we study the testimony, the only question presented here is which set of witnesses would the jury believe, that is, the state's witnesses or the testimony as given by the defendants-appellants."

But prejudicial influences outside the courtroom, becoming all too typical of a highly publicized trial, were brought to bear on this jury with such force that the conclusion is inescapable that these defendants were prejudged as guilty and the trial was but a legal gesture to register a verdict already dictated by the press and the public opinion which it generated.

Newspapers published as a fact, and attributed the information to the sheriff, that these defendants had confessed. No one, including the sheriff, repudiated the story. (Y) Witnesses and persons called as jurors said they had read or heard of this statement. However, no confession was offered at the trial. The only rational explanation for its non-production in court are that the story was false or that the confession was obtained under circumstances which made it inadmissible or its use inexpedient. (Z)

If the prosecutor in the courtroom had told the jury that the accused had confessed but did not offer to prove the confession, he would undoubtedly have declared a mistrial and cited the attorney for contempt. If a confession had been offered in court, the defendant would have had the right to be confronted by the persons who claimed to have witnessed it, to cross-examine them and to contradict their testimony.

If the court had allowed an involuntary confession to be placed before the jury, we would not hesitate to consider it a denial of due process of law and reverse. When such events take place in the courtroom, defendant's counsel can meet them with evidence, arguments, and requests for instructions, and can at least preserve his objections on the record.

But neither counsel nor court can control the admission of evidence if unproven, and probably unprovable, "confessions" are put before the jury by newspapers and radio. Rights of the defendant to be confronted by wtnesses against him and to cross-examine them are hereby circumvented.

It is hard to imagine a more prejudicial influence than a press release by the officer of the court charged with defendants' custody stating that they had confessed, and here just such a statement, unsworn to, unseen, uncross-examined and uncontradicted, was conveyed by the press to the jury.

This court has recently gone a long way to disable a trial judge from dealing with press interference with the trial process. Craig v. Harney, 331 U. S. 367; Pennekamp v. Florida, 328 U. S. 331; Bridges v. California, 314 U. S. 252, though it is to be noted that none of these cases involved a trial by jury.

And the court, by strict construction of an act of Congress, was held not to be contemptuous any kind of interference unless it takes place in the immediate presence of the court, Nye v. United States, 313, U. S. 33, the last place where a well-calculated obstruction of justice would be attempted.

No doubt, this trial judge felt helpless to give the accused any real protection against this out-of-court campaign to convict. But if freedoms of press are so abused as to make fair trial in the locality impossible, the judicial process must be protected by removing the trial to a forum beyond its probable influence.

Newspapers, in the enjoyment of their constitutional rights, may not deprive accused persons of their right to fair trial. These convictions, accompanied by such events, do not meet any civilized conception of due process of law. That alone is sufficient, to my mind, to warrant reversal.

But that is not all. Of course, such a crime stirred deep feeling and was exploited to the limit by the press. These defendants were first taken to the county jail of Lake County. A mob gathered and demanded that defendants be turned over to it. By order of court, they were quickly transferred for safekeeping to the state prison, where they remained until about two weeks before the trial.

Meanwhile, a mob burned the home of Defendant Shepherd's father and mother and two other Negro houses. Negroes were removed from the community to prevent their being lynched. The National Guard was called out on July 17 and 18 and, on July 19, the 116th Field Artillery was summoned from Tampa. The Negroes of the community abandoned their homes and fled.

Every detail of these passion-arousing events was reported by the press under such headlines as, "Night Riders Burn ~~Lake~~ Negro Homes" and "Flames From Negro Homes Light Night Sky In Lake County." These and many other articles were highly prejudicial, including a cartoon published at the time of the grand jury, picturing four electric chairs and headed, "No Compromise —Supreme Penalty."

JUSTICE ROBERT H. JACKSON
. . . his opinion sizzles

Counsel for defendants made two motions, one to defer the trial until the passion had died out and the other for a change of venue. These were denied. The Supreme Court of Florida, in affirming the conviction, observed that "the inflamed public sentiment was against the crime with which the appellants were charged rather than defendants' race." Such an estimate seems more charitable than realistic, and I cannot agree that the prejudice had subsided at the time of trial.

The trial judge, anxious to assure as fair a trial as possible under the circumstances, was evidently concerned about violence at the trial.

He promulgated special rules which limited the number of visitors to those that could be seated, allowed no one to stand or loiter in hallways, stairways and parts of the courthouse for thirty minutes before court convened and after it recessed, closed the elevators except to officers of the court or individuals to whom the sheriff gave special permit, required each person entering the courthouse to submit to search, prohibited any person from taking a "valise, satchel, bag, basket, bottle, jar, jug, bucket, package, bundle or other such item" to the courtroom floor of the courthouse, allowed crutches, canes and walking sticks only after inspection by the sheriff showed them to be necessary aids, prohibited demonstrations of any nature and made various other regulations, all of which the sheriff was charged to enforce and to that end was authorized to employ such number of deputies as might be necessary.

Such precautions, however commendable, show the reaction that the atmosphere which permeated the trial created in the mind of the trial judge.

The situation presented by this record is not different, in essentials, from that which was found a denial of due process in Moore v. Dempsey, 261 U. S. 86. Under these circumstances, for the court to reverse these convictions upon the sole ground that the method of jury selection discriminated against the Negro race, is to stress the trivial and ignore the important.

While this record discloses discrimination which under normal circumstances might be prejudicial, this trial took place under conditions and was accompanied by events which would deny defendants a fair trial before any kind of jury. I do not see, as a practical matter, how any Negro on the jury would have dared to cause a disagreement or acquittal.

The only chance these Negroes had of acquittal would have been in the courage and decency of some sturdy and forthright white person of sufficient standing to face and live down the odium among his white neighbors that such a vote, if required, would have brought.

To me, the technical question of discrimination in the jury selection was only of theoretical importance. The case presents one of the best examples of one of the worst menaces to American justice. It is on that ground that I would reverse.

* * *

FOOTNOTES

(x) — A recommendation of mercy was made as to Defendant Charles Greenlee, a minor, and he does not appeal. The fourth suspect, Ernest Thomas, was killed resisting arrest.

(y)—An editor, explaining the source of a statement in an article in his paper that all three Negroes had confessed, said:

"The information is based on articles in the various daily papers and personal conversations I had with people generally. * * * If articles appear in those papers that have stood the test two or three days without denial or correction, based on my previous experience as an editor, I assume them to be true. The article you called my attention to appeared to the best of my recollection in a number of daily papers and was not denied for a period of three days. I don't think they were ever denied."

(z)—The defense offered, and the court rejected as completely irrelvelant and immaterial, evidence of brutal, inhuman beatings of defendants by state officers in whose custody they were held.

Freedom of Floridans Is Sought

NAACP Leads Drive To Aid Groveland Trio

Am 4-20-51

NEW YORK. — The fight to free the three young men convicted in the Groveland, Fla., "rape" case will be pushed vigorously, the National Association for the Advancement of Colored People announced following a unanimous Supreme Court decision on April 9, reversing the convictions of two of the defendants who had been sentenced to death. No appeal was made on behalf of the third prisoner, who had received a life sentence.

Expressing gratification for the decision, Robert L. Carter, NAACP assistant special counsel, said that it was of "great significance because it requires stricter adherence on the part of southern courts to American standards of justice." Mr. Carter, together with Franklin H. Williams, West Coast regional director and former assistant special counsel, argued the case before the Supreme Court on March 9. Mr. Williams was one of the lawyers in the original trial in Tavares, Fla., in September, 1949.

"We assume that the State of Florida will be unwilling to release these men, who were convicted upon the unsubstantiated testimony of the alleged rape victim," Mr. Carter said. "The entire resources of the NAACP," he continued, "will be used to continue the fight for the full freedom of these innocent men."

Justices Score Press Role

In addition to the unanimous decision reversing the lower court verdict, Justice Robert H. Jackson handed down an opinion excoriating the press of central Florida for biased and inflammatory handling of the "passion-arousing events" in connection with the case. Justice Felix Frankfurter concurred in this opinion, which cited the publication of the story that the defendants had "confessed." This story was never denied nor was any "confession" produced in court during the trial.

The publication of such stories so influenced the jury, the opinion stated, "that the conclusion is inescapable that these defendants were prejudged as guilty and the trial was but a legal gesture to register a verdict already dictated by the press and the public opinion which it generated."

Continuing, Justice Jackson said: "these convictions, accompanied by such events, do not meet any civilized conception of due process of law."

Notable Exceptions

These strictures on the press leveled by Justice Jackson were generally well deserved in this case, commented Walter White, NAACP executive secretary. "However," Mr. White said, "there were notable exceptions. Foremost among these were the New York Post, which sent star reporter Ted Poston, to Florida to cover the trial and the background case; the the St. Petersburg (Fla.) Times which, just before the case went to the Florida Supreme Court, published a series of articles by Norman Bunin substantiating Poston's findings; and the New Leader, liberal New York weekly, which published Terence McCarthy's investigation of the reign of terror which followed the alleged crime."

"Except for the Negro press, there was scant coverage of this important case by publications other than the Post, the St. Petersburg Times, and the New Leader," Mr. White pointed out. "We are all indebted to these papers for focusing the attention of the nation upon this travesty upon the judicial process."

Case Began in 1949

The Groveland case had its beginning in July, 1949 when the claim of a young central Florida housewife that four Negroes had attacked her set off a wave of terror and night-riding that resulted in the burning of homes and the routing of more than four hundred Negro residents from the little citrus community of Groveland and its environs.

Three young Negroes—Samuel Shepherd, Walter Irvin, and Charles Greenlee—were arrested and charged with the crime; a fourth—Ernest Thomas—was shot and killed by a sheriff's posse in a swamp, where he allegedly had resisted arrest. The trial of Shepherd, Greenlee and Irvin took place on the last day of August and the first day of September, 1949, in an atmosphere where hostility and race tension still prevailed to a very noticeable degree.

Petitions by NAACP attorneys, asking for an extension of time to secure witnesses and evidence, and a change of venue to a place less inflamed by race antagonism, all were denied, and the trial was rushed through on Friday and Saturday of the Labor Day weekend. All three defendants were convicted. Shepherd and Irvin were given the death penalty; Greenlee, who was only 16 years of age at the time, was sentenced to life imprisonment.

Appealed to Supreme Court

Following denial of a motion for a new trial and the refusal of the Florida Supreme Court to reverse the lower court decision NAACP lawyers carried the case to the United States Supreme Court, where reversal of the death sentences imposed upon Shepherd and Irvin was asked on the following grounds: first, that the lower court had erred in not granting a continuance, or postponement, of the trial, to give defense counsel adequate time to prepare their case; second, that the passion and prejudice existing in the community at the time made a fair trial impossible and that a change of venue should have been granted; and third, that the system of racial proportional representation on juries used by the county commissioners is unconstitutional.

The court's unanimous reversal on April 9 was based on the jury question. However, Justice Jackson in his opinion said that "to reverse these convictions upon the sole ground that the method of jury selection discriminated against the Negro race, is to stress the trivial and ignore the important."

Attorneys associated with the case, in addition to Mr. Carter and Mr. Williams, were NAACP Special Counsel Thurgood Marshall; Alex Akerman Jr., of Orlando, Florida, who served as co-counsel in the trial court and Florida Supreme Court; James M. Nabrit Jr., of Howard University Law School; and Jack Greenberg, and Mrs. Constance Baker Motley, NAACP assistant special counsel.

Justice Dept. Probes Pretrial Shooting of 2

SHERIFF WILLIS B. McCALL
Shown after Florida shooting

EUSTIS, Fla., Nov. 7 (AP).—The Justice Department today directed an investigation of the shooting of two Negroes who had been granted a new trial after receiving death sentences for the rape of a young white farmwife.

Post

Lake County Sheriff Willis B. McCall admitted the shooting and said it was self defense. It took place about 9:30 p. m. Tuesday.

One of the men, Samuel Shepherd, 23, was killed. His compainon, Walter Lee Irvin, also 23, was seriously wounded.

11-8-51

The United States Supreme Court had reversed a 1949 decision sentenced the pair to death.

A little over two years ago McCall talked a mob out of taking them from the Lake County jail after their arrest. While McCall was arguing with the mob, the Negores were hidden in his hime until they could be transferred elsewhere for safekeeping.

Washington

Shepherd and Irvin were being taken to Tavares near this little central Florida town for a hearing on two motions in connection with a retrial. McCall said the pair attacked him when he stopped to fix a flat tire.

The sheriff was ordered into a hospital by a doctor who said McCall was suffering from shock and had been under treatment for a heart ailment several years. Reporters were not permitted to talk to him.

State Attorney J. W. Hunter and Alex Akerman, jr., of Orlando, one of the Negroes' attorneys, said they would ask Governor Fuller Warren for a special investigation.

The Justice Department's investigation was ordered by Attorney General McGrath in Washington. Department officials will seek to determine whether any violation of Federal statutes is involved.

In New York today, a spokesman said the National Association for the Advancement of Colored People had telegraphed President Truman asking for an investigation of the Eustis shootings.

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Supreme Court Upsets Negro Rape Conviction

Courier-Journal

Louisville Ky

4-10-51

Washington, April 9 (AP)—The Supreme Court set aside today the conviction of two Florida Negroes who had been sentenced to die for the rape of a white girl. The entire trial was set aside and it is up to local prosecutors to decide the next step, if any.

Two justices said the men's trial was "but a legal gesture to register a verdict already dictated by the press and the public opinion which it generated."

However, the majority of seven justices reversed the judgments because Negroes were excluded from the trial jury. Their brief order didn't discuss other issues.

Rape of the 17-year-old girl brought racial violence to little Groveland, Fla., in July, 1949. White mobs attempted a lynching and burned Negro homes. Negroes fled the community. One Negro suspect was killed when he resisted arrest. Troops were called to restore quiet.

Agrees To Hear Medical Case

In another case, of possible great significance, the court agreed to decide whether doctors can organize their own nonprofit hospital and health-insurance programs.

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This case came from Oregon, but the Justice Department has investigated similar plans in more than a dozen states. The Government says the Oregon plan violates antitrust laws.

The American Medical Association has attacked the Justice Department's moves as an effort to "terrorize the medical profession" and impose the Truman Administration's plan for compulsory Government health insurance.

In the Florida case, with Justice Frankfurter agreeing, wrote the opinion charging that the trial of Samuel Shepherd and Walter Irvin was an example of "one of the worst menaces to American justice."

In a comment from the bench, not included in the written opinion, Jackson said, "It is becoming a question whether under modern methods of publicity a fair trial can be granted any man."

The written opinion said newspapers printed stories of alleged confessions by the Negroes, which jury members read, but the confessions were never even mentioned in court. "It is hard to imagine a more prejudicial influence," Jackson wrote.

Jackson said the crime stirred deep feeling and this "was exploited to the limit by the press."

"If freedoms of press are so abused as to make fair trial in the locality impossible," he wrote, "justice should be protected by moving the trial to another area."

Says Courage Is Needed

Jackson said it wouldn't have made any difference if Negroes had been included in the jury because he couldn't see "how any Negro on the jury would have dared to cause a disagreement or acquittal.

"The only chance these Negroes had of acquittal would have been in the courage and decency of some sturdy and forthright white person of sufficient standing to face and live down the odium among his white neighbors that such a vote, if required, would have brought."

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The Groveland Case

Afro-American

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Fla

The unanimous Supreme Court decision ordering a new trial for two of the Groveland, Fla., defendants was not unexpected, but it is disappointing to us that the majority saw nothing more important upon which to act in this case than the narrow issue of jury discrimination.

Overlooked by all but Justices Jackson and Frankfurter, was the atmosphere of sheer terror which enveloped the entire community at the time these men were placed on trial.

This, plus the hatchet work performed by Florida dailies in inflaming the public with lurid and lying stories made it impossible for these men to receive even a semblance of a fair hearing in court.

Justice Jackson in his brilliantly scathing opinion puts his finger on the marked ineptness of the court, when he says:

"To reverse these convictions upon the sole ground that the method of jury selection discriminated against the Negro race, is to stress the trivial and ignore the important.

"...the conclusion is inescapable that these defendants were prejudged as guilty and the trial was but a legal gesture to register a verdict already dictated by the press and the public opinion which it generated.

"...these convictions, accompanied by such events, do not meet any civilized conception of due process of law."

One other angle of this case is puzzling to us. Why did the NAACP, which did such a magnificent job in securing new trials for two of the three defendants, neglect to seek a review of the conviction of the third?

Surely it can be argued that if Samuel Shepherd and Charles Greenlee, who were given the death sentence, were discriminated against in the matter of jury selection, so was the third man, Walter Irvin, who was given a life sentence. All three were tried by the same jury.

We do have the assurance that the NAACP will press its fight with renewed vigor to free two of these obvious victims of a Florida frame-up. We would like for attorneys of this organization to reconsider their abandonment of young Irvin to the uncertain fate of a life sentence in a Florida penal institution.

Judge Jackson Hits Press in Race Trial

Post

4-10-51

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Washington

By Chalmers M. Roberts

Post Reporter

Two Supreme Court justices yesterday criticized newspapers which so abuse freedom of the press that they prevent a person from obtaining a fair trial.

Justice Robert H. Jackson, with Justice Felix Frankfurter joining him, wrote a strong concurring opinion to the court's unanimous reversal of a Florida conviction of two negroes for rape.

But Jackson criticized the seven other justices for reversing the state courts only on the grounds that the method of jury selection discriminated against Negroes. The seven said only that "the judgement is reversed," citing a previous decision on the Negroes-on-juries question.

That, said Jackson, "is to stress the trivial and ignore the important."

The "important," the justice declared, were the "prejudicial influences" outside the court, influences "becoming all too typical of a highly publicized trial."

The case involved the alleged rape ~~of a 17-year-old white girl in Lake County, Fla., in 1949 by four~~ Negroes. One of the four was killed resisting arrest, another was a minor and received a mercy recommendation. The remaining two, Samuel Shepherd and Walter Irvin, fought their convictions and death sentences to the high court and now will be tried anew in a different court.

Jackson declared that the case had stirred deep racial feelings which were "exploited to the limit by the press." He did not name the newspapers.

He went on:

"But if freedoms of press are so abused as to make fair trial in the locality impossible, the judicial process must be protected by removing the trial to a forum beyond its probable influence. Newspapers, in the enjoyment of their constitutional rights, may not deprive accused persons of their right to a fair trial."

Then Jackson said that the convictions in the case "accompanied by such events" as took place at the time "do not meet any civilized conception of due process of law. That alone is sufficient, to my mind, to warrant reversal."

Jackson said the inflamed public sentiment against the Negroes amounted to "prejudicial influences" which "were brought to bear on this jury with such force that the conclusion is inescapable that these defendants were prejudged as guilty and the trial was but a legal gesture to register a verdict already dictated by the press and the public opinion which it generated."

The justice criticized the opinion of the Florida Supreme Court that the "inflamed public opinion" was directed "against the crime" of rape "rather than defendants' race." Jackson said that "such an estimate seems more charitable than realistic . . ."

While reading his opinion from the bench yesterday, Jackson at one point interpolated:

"It is becoming a question whether under modern methods of publicity a fair trial can be granted any man."

The justice cited the fact that a mob gathered at the county jail, demanding the defendants, that another mob burned the home of Shepherd's father and mother and two other Negro homes, that some Negroes were removed from the community to prevent lynching while others fled their homes and that the National Guard was called out.

Then he said:

"Every detail of these passion-arousing events was reported by the press under such headlines as 'Night Riders Burn Lake Negro Homes' and 'Flames From Negro Homes Light Night Sky in Lake County.'"

The justice called "these and many other articles" "highly prejudicial." He also cited the fact that a widely publicized "confession" was not introduced in court, adding that the "only rational explanation" was that the confession was "obtained under circumstances which made it inadmissible or its use inexpedient."

Jackson said that such a confession, if presented, would have had to face cross-examination by the defendants' attorneys.

"But neither counsel or court," he continued, "can control the admission of evidence if unproven, and probably unproveable, 'confessions' are put before the jury by newspapers and radio. Rights of the defendant to be confronted by witnesses against him and to cross-examine them are thereby circumvented. It is hard to imagine more prejudicial influence than press release by the officer of the court charged with defendants' custody stating that they had confessed, and here just such a statement, unsworn to, unseen, uncross-examined and uncontradicted, was conveyed by the press to the jury."

The "confession" press release was attributed to the sheriff.

In cracking at his seven fellow-justices' narrow legal grounds for reversing the conviction, Jackson said that he did not see "as a practical matter how any Negro on the jury would have dared to cause a disagreement or acquittal."

He said the accused's only chance would have been "the courage and decency of some sturdy and forthright white person of sufficient standing to face and live down the odium among his white neighbors that such a vote, if required, would have brought."

The case, he concluded, "presents one of the best examples of one of the worst menaces to American justice."

In other actions yesterday, the Supreme Court:

1. Rejected, 8-0, the claim of various Oregon Indian bands to $14,255,616 interest on a $3,128,900 award made to them for tribal lands taken by the United States. Justice Jackson took no part in the case.

2. Refused to intervene in a suit by two Negroes to win admittance to the Paducah (Ky.) Junior College. Officials of the college had asked the high court to set aside a Federal District Court ruling that refusal to admit the students was a denial of their constitutional rights. The college is a private corporation which receives city financial aid.

3. The Court agreed to consider the Government's antitrust case against a health insurance plan set up by Oregon doctors which the Government contends is a conspiracy to suppress private medical insurance companies by disciplining doctors who cooperate with them. The case will be argued next fall.

4. Ruled, 9-to-0, that West Virginia, under its State constitution, may take part in an eight-State Ohio River compact aimed at ending sewage pollution. The State courts had held the State could not sign the agreement but Justice Frankfurter declared that the Supreme Court has the "final power to pass upon the meaning and validity of compacts." Justices Stanley Reed and Jackson wrote concurring opinions.

5. Ruled, 9-to-0, that Paul Moser of Elmhurst, L. I., N. Y., is entitled to American citizenship even though he obtained a draft deferment as a neutral (Swiss alien under a provision which barred persons asking such deferments from becoming citizens. The court held that Moser had, in fact, a right to choose, and without loss of citizenship rights because of an 1850 Swiss-American treaty.

6. Ruled, 9-to-0, that the Army may consider Veterans Administration as well as its own medical reports in reviewing an officer's disability discharge. The opinion, by Justice William O. Douglas, was on a case involving Capt. Robert H. Chambers of Broadalbin, N. Y. Douglas held the VA reports are official Government documents which had been turned over to the Army.

Negroes' Conviction Upset As 2 Justices Censure Press

By The United Press.

WASHINGTON, April 9—The Supreme Court unanimously reversed today the rape convictions of two Florida Negroes, and two justices delivered a stern warning that abuses of press freedom should not be allowed to prevent Americans from getting a fair trial.

Justice Robert H. Jackson, writing a concurring opinion in which Justice Felix Frankfurter joined, said that Walter L. Irvin and Samuel Shepherd had been deprived of a fair trial in their conviction on charges of raping Norma Padgette, 17 years old, near Groveland, Fla., in 1949.

"If freedoms of press are so abused as to make fair trial in the locality impossible, the judicial process must be protected by removing the trial to a forum beyond its probable influence," the opinion said.

"Newspapers in the enjoyment of their constitutional rights may not deprive accused persons of their right to a fair trial."

[Text of Justice Jackson's opinion is printed on Page 25.]

The court as a whole reversed the convictions without issuing an opinion. The defendants argued that racial bias had figured in the selection of the all-white jury that tried them. The high court cited a Texas case it decided last term that held race should not be a factor in jury selections.

"To me, the technical question of discrimination in the jury selection has only theoretical importance," Justice Jackson wrote. "The case presents one of the best examples of one of the worse menaces to American justice.

"It is on that ground that I would reverse."

The two men are under sentence of death in the State Prison at Raiford, Fla. It was considered likely the state would bring them to trial again.

Mrs. Padgette, Norma's mother, accused four Negroes of the crime. One suspect, Ernest Thomas, was shot resisting arrest. The fourth, Charles L. Greenlee, was sentenced to life imprisonment and is now in a chain gang. He was 16 at the time of the trial.

The Jackson opinion went to the heart of a controversy between court and press circles as to the right of the press to print details of criminal cases that might conceivably influence a jury's decision.

Being a minority view its legal effect is uncertain, but its strong stand is certain to have sharp repercussions in future cases of newspaper handling of court cases, and may lead to new Supreme Court tests of such cases.

4-10-51

Defendants Held Prejudged

"The conclusion is inescapable," Justice Jackson said, "that these defendants were prejudged as guilty and the trial was but a legal gesture to register a verdict already dictated by the press and the public opinion which it generated."

He said that to reverse the convictions on racial grounds alone was "to stress the trivial and ignore the important."

The Justice gave a detailed analysis of the press handling of the case. He noted that newspapers in the area published as a fact, citing the Sheriff as their source, that the men had confessed. Yet no confession was offered at the trial though persons called as jurors said they had heard of it, Mr. Jackson noted.

He said that if evidence was offered in court, attempts might be made to refute it. But neither lawyers nor the court can control "unproven and probably unprovable" confessions "put before the jury by newspapers and radio," he asserted.

Noting the mob violence leading to the calling of the National Guard that occurred soon after the alleged rape, Mr. Jackson said:

"Every detail of these passion-arousing events was reported by the press under such headlines as 'Night-Riders Burn Lake Negro Homes' and 'Flames From Negro Homes Light Night Sky in Lake County.'

"These and many other articles were highly prejudicial, including a cartoon published at the time of the grand jury, picturing four electric chairs and headed, 'No Compromise—Supreme Penalty.'"

Mr. Jackson said that lawyers for the two Negroes sought to defer the trial until the passion had died down, and tried to get the place of trial moved. They failed in both efforts.

"The Supreme Court of Florida, in affirming the conviction, observed that 'the inflamed public sentiment was against the crime with which the appellants were charged rather than the defendants' race,'" he continued.

"Such an estimate seems more charitable than realistic, and I cannot agree that the prejudice had subsided at the time of trial."

Murder Conviction Upheld

WASHINGTON, April 9 (AP)—The Supreme Court also ruled today on two other cases involving Negroes. It upheld the conviction and death sentence imposed on Milton H. Wilson, a Louisiana Negro accused of killing a white couple, Mr. and Mrs. Joseph Petrolia of New Sarpy, La.

His lawyers said that alleged confessions were obtained by torture, threats and duress. The court split 6 to 3, with Justices Frankfurter, Hugo L. Black and William O. Douglas dissenting. Affirmance was by a brief order, carrying no discussion.

The court declined to set aside a lower court decision that constitutional rights of two Negroes had been violated by the refusal of Paducah Junior College of Paducah, Ky., to admit them as students.

College officials had asked the court to reverse the decision on the ground the college was a private corporation that received only financial aid from the city of Paducah. The court has held that states that do not provide equal separate schools for Negroes must admit them to white schools.

The Paducah College has not been directly ordered to admit the Negroes that could require further litigation if the school still refused admittance.

7E

Justice vs. Mobbism

Conscientious newspapermen who read Justice Jackson's opinion in the Shepherd-Irvin case will blush with shame for a segment of their profession. Newspapers in Lake County, Fla., and vicinity published stories to the effect that four Negroes, including the two defendants in this case, had confessed to raping a 17-year-old white girl. The information was attributed to the sheriff. The sheriff did not repudiate the story. Witnesses and persons called as jurors had read the statement. But no confession was offered at the trial. "The only rational explanation for its nonproduction in court," Justice Jackson wrote, "are that the story was false or that the confession was obtained under circumstances which made it inadmissible or its use inexpedient."

Presumably the defendants were forced to confess by third-degree methods. Evidence of brutal beatings was offered at the trial and rejected as immaterial. If confessions thus extorted from the defendants had been brought into the trial, the Supreme Court would certainly have upset the verdict as a denial of due process of law. Knowing this, the law enforcement officers appear to have circulated the alleged confession through the press with the expectation that it would accomplish the same purpose as if offered in evidence. There was no opportunity to test its truthfulness or scrutinize the circumstances under which it was obtained. "It is difficult to imagine," as Justice Jackson said, "a more prejudicial influence" in a trial. Certainly journalists who thus abused the freedom of the press are unworthy of the great responsibility they bear.

Wed. 4-11-51

Even more reprehensible was the conduct of the law-enforcement officers who released the "confession." And the Florida courts do not escape censure. While the trial judge tried to maintain a judicial atmosphere, he denied motions for postponement of the trial and for a change of venue despite a lynching attempt, the burning of the homes of one defendant's father and mother and of two other Negroes. Racial animosity became so intense that the Negroes of the community abandoned their homes and fled. In these circumstances, says Justice Jackson, the judicial process must be protected by removing the trial to a forum beyond the influence of mob spirit and an unscrupulous press.

Nor can the Supreme Court itself find any pride in its disposition of the case. The majority reversed the conviction without writing an opinion and with a mere reference to a previous decision dealing with discrimination against Negroes in the selection of juries. Only Justice Frankfurter concurred in the forthright Jackson opinion resting on much broader grounds. "I do not see, as a practical matter," this opinion states, "how any Negro on the jury would have dared to cause a disagreement or acquittal." The heart of the matter is that justice cannot be achieved in an atmosphere of terrorism. It is a pity that the whole court did not say so in an unequivocal manner for the guidance of local authorities and courts throughout the land.

NAACP Attorneys Barred From Groveland Fla. Trial

Tues. 12-11-51, Memphis, Tenn. [illegible]

27e(2)

TAVARES, Fla.—Judge Truman J. Futch of Lake County Circuit Court today barred Thurgood Marshall, special counsel, and Jack Greenberg, assistant special counsel, of the National Association for the Advancement of Colored People, from defending Walter Irvin, the remaining defendant in the infamous Groveland "rape" case. Judge Futch said that the attorneys could not take part in the case because the NAACP has stirred up trouble in the community.

Alex Akerman, Jr., of Orlando, who represented the defendants for the NAACP in their original trial in 1949, remains as chief defense counsel, assisted by Paul Perkins, also of Orlando.

At the same time, Judge Futch granted defense motions for a change of venue, scheduling Irvin's trial for January 14, in Ocala, in neighboring Marion County. Since Marion and Lake Counties are in the same circuit, Jess Hunter will remain as prosecutor in the case. Mr. Marshall indicated that the NAACP will conduct a thorough investigation in Marion County, as it did in Lake, to determine whether the climate of opinion is such that it will permit selection of an unbiased jury, and a fair trial for Irvin.

IRVIN RECOVERING

Irvin, who was shot by Sheriff Willis McCall on a lonely country road, on November 6, the eve of the retrial ordered for him by the United States Supreme Court, miraculously escaped the death that was the fate of Samuel Shepherd, his fellow prisoner. Irvin is now at the State Penitentiary at Raiford, where Mr. Perkins reported that he is in good condition but still has a bullet lodged near his kidney.

Supreme Court Edict Saves Two

Newspaper Abuse Cited As Cause Of Jury Bias

By LOUIS LAUTIER

4-13-51

WASHINGTON, D. C.—(NNPA)—The United States Supreme Court Monday, April 9, unanimously reversed the convictions of two men under sentence of death for the alleged raping of a 17-year old white girl in Lake County, Florida, but divided in their reasons for the reversal. The case is popularly called the Groveland case.

In a per curiam opinion, the court reversed the convictions on the basis of the Lee Cassell case—a Texas case in which the court ruled that systematic exclusion of colored persons from jury service was unconstitutional.

Justice Robert H. Jackson, in an opinion concurring in the result, said newspaper abuse of freedom of the press made impossible a fair trial. Justice Felix Frankfurter joined Justice Jackson in his concurring opinion.

27e(2)

"The case presents one of the best examples of one of the worst menaces to American justice," said Justice Jackson, accusing newspapers of depriving the defendants of a fair trial. "It is on that ground that I would reverse," he added.

The court's opinion overrules the judgment of the Florida Supreme Court affirming the convictions of Samuel Shepherd and Walter Irvin, who were convicted without recommendation of mercy and sentenced to death.

The trial jury recommended mercy in the case of Charles Greenlee, a minor, and the National Association for the Advancement of Colored People did not prosecute an appeal on his behalf. The fourth suspect, Ernest Thomas, was killed allegedly resisting arrest.

The alleged rape occurred on July 16, 1949. Six days later, the three youths were indicted. They were convicted, in September 1949. The Florida Supreme Court, reviewing the case, said the only question was which set of witnesses the jury would believe—the State's witnesses or the defendants.

In his concurring opinion, scathingly denouncing the part newspapers played in obtaining the convictions, said "prejudicial influences outside the courtroom, becoming all too typical of a highly publicized trial, were brought to bear on this jury with such force that the conclusion is inescapable that these defendants were prejudged as guilty and the trial was but a legal gesture to register a verdict already dictated by the press and the public opinion which it generated."

4-13-51

Justice Jackson cited the fact that newspapers published information attributed to the sheriff that the defendants had confessed.

"No one, including the sheriff, repudiated the story," said Justice Jackson, adding:

"Witnesses and persons called as jurors said they had read or heard of this statement. However, no confession was offered at the trial. The only rational explanations for its nonproduction in court are that the story was false or that the confession was obtained under circumstances which made it inadmissable or its use inexpedient."

A footnote to the opinion states that the defense offered, and the court rejected as completely irrelevant and immaterial, evidence of brutal, inhuman beatings of defendants by State officers in whose custody they were held.

Continuing, Justice Jackson said:

27e(2)

"If the prosecutor in the courtroom had told the jury that the accused had confessed but did not offer to prove the confession the court would undoubtedly have declared a mistrial and cited the attorney for contempt.

"If a confession had been offered in court, the defendant would have had the right to be confronted by the persons who claimed to have witnessed it, to cross-examine them, and to contradict their testimony. If the court had allowed an involuntary confession to be placed before the jury, we would not hesitate to consider it a denial of due process of law and reverse.

"When such events take place in the courtroom, defendant's counsel can meet them with evidence, arguments, and requests for instructions, and can at least preserve his objections on the record.

"But neither counsel nor court can control the admission of evidence if unproven, and probably unprovable, 'confessions' are put before the jury by newspapers and radio. Rights of the defendant to be confronted by witnesses against him and to cross-examine them are thereby circumvented.

"It is hard to imagine a more prejudicial influence than a press release by the officer of the court charged with defendants' custody stating that they had confessed, and here just such a statement, unsworn to, unseen, uncross-examined and uncontradicted, was conveyed by the press to the jury."

Groveland Judge Bars Marshall

Defender

Sat. 12-15-51

27e(2)

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Irvin Recovering

12-15-51

Irvin, who was shot by Sheriff Willis McCall on a lonely country road on November 6, the eve of the retrial ordered for him by the United States Supreme Court, miraculously escaped the death that was the fate of Samuel Shepherd, his fellow prisoner.

Irvin is now at the State Penitentiary at Raiford, where Perkins reported that he is in good condition but still has a bullet lodged near his kidney.

No Due Process

27e(2)

The convictions of Shepherd and Irvin were unanimously reversed by the nation's highest court last April.

Meanwhile the proposal advanced by Marshall, that the Department of Justice present to the U.S. Supreme Court the question as to whether Sheriff McCall is in contempt of that court for the killing of Shepherd and the wounding of Irvin is "receiving the Department't careful consideration."

27e(2) 1951 Florida

8242

NAACP Attorneys Barred From Groveland Fla. Trial

Daily Worker 12-9-51

27e(2) Fla

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P. 1

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Daily Worker

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27e(2)

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37

Bar Lawyer Marshall From Groveland Case

Afro-American Nat. 12-15-51 P. 1

27e(2) Fla

TAVARES, Fla. — Judge Truman J. Futch of Lake County Circuit Court on Thursday barred Thurgood Marshall, and Jack Greenberg, NAACP lawyers, from defending Walter Irvin, the remaining defendant in the Groveland criminal assault case.

Judge Futch said that the attorneys could not take part in the case because the NAACP has stirred up trouble in the community.

Baltimore Md

Alex Akerman Jr. of Orlando, who represented the defendants in their original trial in 1949, remains as chief defense counsel, assisted by Paul Perkins.

Change of Scene

At the same time, Judge Futch granted defense motions for a change of venue, scheduling Irvin's trial for Jan. 14, at Ocala, in neighboring Marion County. Jess Hunter will remain as prosecutor in the case.

Mr. Marshall indicated that the NAACP will conduct a thorough investigation in Marion County to determine whether the climate of opinion is such that it will permit selection of an unbiased jury.

Irvin, who was shot by Sheriff Willis McCall on Nov. 6, the eve of the retrial ordered for him by the U.S. Supreme Court, miraculously escaped the death that was the fate of Samuel Shepherd, his

(Continued on Page 2)

fellow prisoner, by playing dead until more people arrived even though he had six bullet wounds.

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The convictions of Shepherd and Irvin were unanimously reversed by the nation's highest court last April. At that time, Justice Robert H. Jackson issued an opinion which condemned the press of central Florida for inflaming public opinion against the defendants and making a fair trial impossible.

Calling the trial "one of the best examples of one of the worst menaces to American justice," Justice Jackson said that the events surrounding the convictions did not "meet any civilized conception of due process of law."

The case attracted world-wide attention at the time of the reversal, and the general feeling was that there was a better chance for justice to be done after Justice Jackson spotlighted the disgraceful conduct of the trial.

In view of this, Sheriff McCall's murder of Shepherd and shooting of Irvin stunned the world and were seen as defiance of the Supreme Court.

27e(2)

Bitter Denunciation

The shootings were bitterly denounced in this country and abroad. Soviet Foreign Minister Andrei Vishinsky seized upon the incident as subject matter for a scathing attack on America at the United Nations General Assembly meeting in Paris.

The Department of Justice is investigating the shootings to determine whether or not there was violation of Federal civil rights statutes and whether or not Sheriff McCall is guilty of contempt of the U.S. Supreme Court.

Originally there were four youths involved in the case. Ernest Thomas, 26, was shot to death by a mob in July, 1949, soon after the white woman charged that they had criminally assaulted her.

Charles Greenlee, 16, is now on a Florida chain gang. He was given a life sentence at the 1949 trial.

SARAH, BILLY TOPS

CHICAGO—Sarah Vaughan and Billy Eckstine were named top female and male vocalists of 1951 in the Down Beat magazine poll Saturday. The Mills Brothers emerged as the leading vocal combination.

Fla. Judge Bars Two New York Attorneys

Courier P. 1

Thurgood Marshall, Jack Greenberg Are Ruled Out Of Tense Groveland Case; Take Trial to New Court.

Sat 12-15-51

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Pittsburgh

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27e(2)

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Fla

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NO DUE PROCESS

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Calling the trial "one of the best examples of one of the worst menaces to American justice," Mr. Justice Jackson said that the events surrounding the convictions did not "meet any civilized conception of due process of law."

WASHINGTON—"Careful consideration" is being given by the U. S. Department of Justice to the proposal of NAACP Special Counsel Atty. Thurgood S. Marshall that the U. S. Supreme Court should decide as to whether Sheriff Willis McCall of Lake County, Fla., is in contempt of that court for the killing of Samuel Shepherd and the wounding of Walter Irvin in the "Groveland Three" case.

27e(2)

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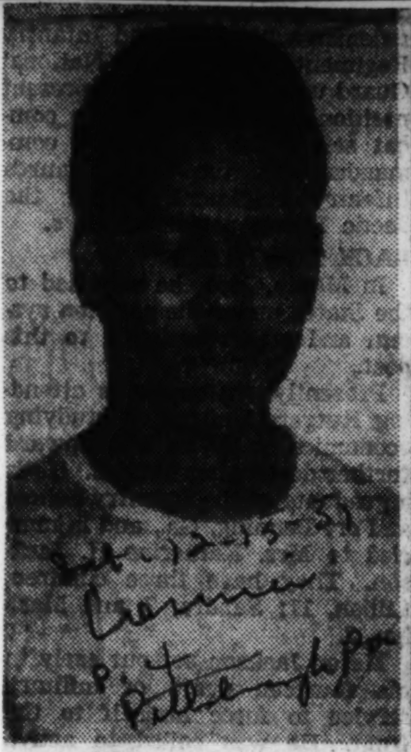
Call's murder of Shepherd an shooting of Irvin stunned th world and were seen as shocking defiance of the highest tribunal of the land.

DISCUSSED ABROAD

The shootings were widely condemned and bitterly denounced in this country and abroad. Soviet Foreign Minister Andrei Vishinsky seized upon the incident as subject matter for a scathing attack on America at the United Nations General Assembly meeting in Paris.

In response to demands from the NAACP, the Department of Justice is investigating the shootngs to determine whether or not there was violation of Federal civil rights statutes and whether or not Sheriff McCall is guilty of contempt of the U. S. Supreme Court.



Sat. 12-15-51
Courier
P.
Pittsburgh Pa.

WALTER IRVIN
. . . last of "Groveland 3"

ATTY. THURGOOD MARSHALL
. . . barred from case

Jury Frees Laborer Of Rape Charge

Daily World

Sat. 11-26-51

An Atlanta laborer, charged with raping a 13-year-old Simpson Street girl last August 25, was acquitted yesterday by a trial jury during a criminal arraignment in Fulton Superior Court.

Atlanta

The defendant, Zeizler Edge, won freedom of the alleged rape offense after a trial jury deliberated less than 15 minutes before arriving at a verdict that absolved the accused man of the offense.

27e(2)

Edge, represented by Attorney James R. Venable, denied on the witness stand that he had "carnal knowledge of the person" of the young girl as charged in the bill of indictment returned against him.

Ga.

Testifying that the defendant criminally assaulted her after forcing her in a compromising position, the teen-aged girl, apparently matured physically, alleged the incident occurred at a resident in the 700 block of Simpson Street, N. W.

The trial was presented in the courtroom of Fulton Superior Court Judge Virlyn B. Moore.

Victim Injured, Rape Trial Waits

27e(2)

Ga.

Condition of a 51-year-old rape victim has postponed possible indictment of a man being held for the crime, Cobb County police said Monday.

The police said the case against 25-year-old Boisy Hill, Negro, could not go before the Cobb Grand Jury, which adjourns Tuesday, because the victim is in Kennestone Hospital in Marietta with a fractured hip and in shock, unable to appear in court.

According to police, Hill has admitted theft of a rifle from her home on the night of the attack. He denied attacking the woman, however.

Constitution

WHITE MAN JAILED ON CONDUCT-RAPE CHARGE

Daily World

An Atlanta white man was lodged in the city jail Saturday, charged with "disorderly conduct-rape" of a 19-year-old Negro girl who reported the incident to Atlanta police.

27e(2)

It was the second case in four days, of a Negro girl being assaulted by a white man. Police records revealed that both girls were minors, the first case taking place on Wednesday when an eight-year old girl was attacked.

Ga.

Detectives J. [illegible] Helms and W. M. Holland secured a sworn statement from the victim, before arresting the man at his home shortly after the attack reportedly took place.

Listed as W. L. Woods, the man was quoted by police as saying he was an employee of the Fulton County system.

Detectives Helms and Holland said the 19-year-old girl told them that Wood drove out to her house about 9 a. m. Wednesday and asked to speak to her. He reportedly asked her to do about two hours house work for him, stating that his maid had not showed up for work Wednesday morning.

The girl reportedly agreed if he would furnish her return transportation. In her signed statement she said that she felt someone had recommended her because the man had called her by her name when he came to her home.

The girl reportedly sat in the back seat of the man's car while they drove to his house. During the trip, said the girl, Wood showed her several pictures of women, and upon reaching his home she discovered that his wife was not present.

Daily World

When asked where his wife was, Wood reportedly stated she was at work. But the girl got a mop and began cleaning the house. Wood allegedly attacked her twice, and reportedly told her he would kill her if she screamed.

10-24-51

The girl said that she finally got away while he was using the phone, and borrowed car fare home from a girl who worked near the man's house.

27e(2)

The detective said that they located the pictures the girl had described at Wood's home, and other items in the house which she had described. They reportedly found the man clad in short pants and bed room slippers.

The officers stated that Wood denied the charges, saying that he did not have anyone working for him that morning, but admitted driving in the vicinity of the girl's home Saturday morning. Wood was charged with disorderly conduct-rape. The case was set for Monday afternoon in Recorder's Court.

East Point Expectant Mother Kidnaped, Raped Four Times

A 28-year-old expectant mother was kidnaped near her home in East Point Saturday, forced into a truck with three men, and assaulted four times at a Clayton County tourist court, police said Monday.

She was treated by a private physician after the ordeal and advised to go to Grady Hospital. X-rays were made at Grady Monday to determine the full extent of her injuries.

Constitution

27e(2)

East Point Dets. H. L. Stanley and W. B. Cawthon said the woman told them she was accosted by the men as she walked toward her home from a nearby theater.

Tues. 7-24-51

One of the men put his hand over her mouth and while another menaced her with a knife, forcing her into the truck, she related to the officers.

Ga.

She was taken to a tourist court on Highway 41 where the men gagged her with torn pillow cases and bound her wrists. Two men, both about 30, allegedly raped the woman twice each after their teen-age companion had begged them to let her go. The younger man heard her explain that her baby was due in a month.

Atlanta, Ga.

The officers quoted her as saying that after the cabin ordeal, during which she was physically unable to offer resistance, she sought to make an outcry to an employee of the tourist court but was silenced by the man who struck her across the mouth and told her to "get out of there."

En route back toward East Point she said she again attempted to make an outcry at a service station where the men stopped for gasoline. An attendant at the station verified the woman's statement to police.

She said the man put her out of the car on a graded road near Hapeville at 3:30 a. m., Sunday after which she walked to the Hapeville police station. There officers called Sheriff W. L. Dixon in Clayton County.

The woman said she and her husband returned to Clayton County and attempted to obtain a warrant for the tourist court employe who struck her when she first attempted to report the rape. She was quoted as saying the sheriff told her, "Let's wait and see who the boys are first."

Negro Trusty Admits Attack On Housewife

27e(2)

Constitution State News Service

LAWRENCEVILLE, Aug. 13—A Negro convict serving a 10-year sentence in the Gwinnett County Public Work Camp for assault with intent to rape, Mon~~day afternoon~~ confessed to bludgeoning a Gwinnett County housewife with a five-inch chisel last Thursday, Gwinnett Deputy Sheriff J. J. Johnson, ~~Jr., told~~ The Constitution.

Ga

Constitution

The convict, 22-year-old Willie Ford Ballard, a trusty, confessed at 4 p. m. Monday that he followed Mrs. Ruth Addington into her farm home near Buford, and while her six-month-old baby watched, attacked her with the chisel when she resisted his advances, Johnson said.

The confession came after more than 12 hours of questioning, ~~Johnson said.~~

8-9-51

Johnson said the suspect list narrowed down to Ballard after Mrs. Addington regained consciousness at Crawford W. Long Hospital in Atlanta late Saturday and described her assailant.

Johnson said Bullard gave the following description of how the attack ~~occurred:~~

"I was operating a roadscraper on the road. I stopped the scrape and went through the woods to the back of the (Addington) house. She was coming from the barn to the house. I hid behind a pine tree and waited.

"When she got in the house. I went to the door and knocked. She said, 'Who is that?' I said, 'My name is Willie.' She said 'Just a minute.' Then I went in the house." Here Ballard admitted making an improper remark. Resuming, he said: "She slapped me and ran and jumped on the bed with the baby. I went over to the bed and she started kicking me. I took the chisel out of my pocket and hit her. I don't know how many times. Then I ran out the door and back to the machine."

Johnson said Ballard was not drunk or drinking at the time.

GBI Agent Fred Culberson, Sheriff Journey Phillips and Deputy Johnson worked on the case.

Race Issue Comes Up in DeKalb Case

Constitution

9-11-51

27e(3)

DeKalb Superior Court Judge Frank Guess Tuesday will resume hearing on a motion of Aaron Robison, 19-year-old Negro under indictment for rape of a white woman, that ~~the indictment~~ be quashed on a "Scottsboro plea."

In the motion filed Monday the Negro contended there were no members of his race among the grand jurors who indicted him in connection with the alleged assault of a young white woman near Panthersville and no Negroes were in the ~~trial jury panel.~~

The petition stated that 18 per cent of the population of DeKalb county is Negro, that listed in the county tax digest are 1,664 Negro males eligible for grand jury or traverse jury duty. The petition also charged there are no Negroes among the 502 names from which grand juries are called or the 2,827 persons making up traverse jury lists.

Ga

YELLOW FORMS

Negroes, the petition declared, were "purposely excluded" from both lists. It pointed out that white taxpayers are listed in county records on white forms while Negro taxpayers are listed on yellow forms.

Attorneys for Robinson, Jesse T., Joe and Bruce Edwards, brothers, called as witnesses members of the board of jury commissioners, the clerk of court, the tax collector and sheriff.

Fred Cannon, a member of the board of jury commissioners, testified that he attempted to obtain Negroes for the juries but found "none qualified." Cannon said he considered a Negro schoolteacher and a minister but both were excluded because of the practice of omitting teachers and ministers.

WOMEN TAXPAYERS

Many of the Negro tax returns are made in the name of women, Cannon said. He pointed out state laws prohibits the use of women on such juries in Georgia.

Walter H. Scott, J. J. Summers and Gus Hudgins, all members of the jury commission, also testified that they had considered Negro taxpayers for the jury list but found none that met with the required standards.

County Tax Collector W. Fred Nash and Ben Burgess, clerk of the DeKalb Superior Court, said they knew of no Negroes being drawn for jury duty in DeKalb county.

The motion to quash the indictment came as Sol. Gen. Roy Leathers, of the Stone Mountain Circuit, prepared to open the state's case against Robinson.

FIRST OF EIGHT BOYS GO ON TRIAL IN ASSULT CASE

27e(27)

BY GEORGE COLEMAN

An 18-year-old ~~boy, standing~~ trial on a charge of raping a white woman, heard ~~charges against him reduced~~ to attempted rape Thursday afternoon in Fulton Superior Court after the state rested its case.

Ga

Vernon Sylvester Matthews, 18, went on trial Thursday morning in Fulton Superior Court, as the first of eight Negro teen-agers co-charged with the July 3, criminal assault of a 35 year-old Atlanta white woman.

MOTION TO DISMISS CHARGES

Judge Virlyn B. Moore ruled the charge would be restricted to attempted rape after defense attorney William A. Thomas entered a motion for a direct verdict of dismissal.

P. l.

The motion was entered on the grounds that the state had failed to produce evidence that the woman was forced into a sexual act, that there was no evidence of an outcry, and no positive identification of his client as one who had criminally assaulted her.

Assistant Solicitor William E. Spence, conducting the prosecution, countered that Matthews had admitted in a previously signed statement that he was present when the woman was carried off, and that he had started to assault her.

But Judge Moore ruled that since testimony had been entered that her companion had involved her as well as a group of boys, the evidence reported was not enough proof that Matthews was the party responsible. He stated that to prove rape, it must be proven, beyond a reasonable doubt.

A dirty white shirt and a handkerchief were placed as evidence during the trial. Patrolman C. N. Edge testified he found the shirt on the woman's arms, where it allegedly had been used to bind them behind her back.

EIGHT WITNESSES CALLED

Eight witnesses, including the alleged victim and one of the defendants, were called to testify by the state. Their testimonies brought out agreement that the woman was seen being carried on the shoulders of a group of boys in the vicinity of Henry Grady Homes. But none of the alleged assailants were identified positively except by investigating officers and the 13-year-old defendant who testified.

Dr. Josely L. Girardeau, of the Grady Hospital staff, testified

Attorney Thomas asked if she was drinking. The doctor answered:

Jn. 11-30-51

"There was the odor of alcohol on her breath.

Atlanta, Ga

Radio Patrolman C. N. Edge, who was the first officer on the scene, also said she had been drinking.

Three Negro women, residents of the Henry Grady Homes, testified they saw boys with a woman in the area and called the police. Two of them said the boys were carrying the woman. But none of them said they heard her cry out until after the police arrived. One witness testified she heard the woman groaning.

27e(2) 1951 Georgia 8243

Walker Negro Given Death

Constitution

A 20-year-old Walker County Negro stood emotionless in Fulton Superior Court Thursday as Judge Claude Shaw sentenced him to death for raping a white woman.

James Avery, accused of raping a Chickamauga divorcee last October, was found guilty by the jury which took more than an hour to reach its decision. It did not recommend mercy.

Ga. 9-2-51 27e(2)

Avery's aged mother screamed out as the sentence was pronounced and had to be led from the courtroom. She moaned, "Have mercy, Jesus," continually as she was helped from the courthouse.

Atlanta

The condemned man's court-appointed attorneys, Frank Gleason, of Rossville, and George Shaw, of Lafayette, immediately filed a motion for a new trial. A hearing was set for Nov. 1, thereby postponing the death sentence.

Ga. Ga.

Condemned Man Charges No Negroes On Jury

Daily World 12-2-51

A habeas corpus plea for a 20 year old Atlanta Negro, doomed to die in the electric chair, will be considered by a Federal Court on December 6.

Atlanta

Rogers Henry Porch was sentenced two weeks ago to die for rape committed in Pickens County in 1948. He petitioned to have Pickens County Sheriff Howard Cagle bring him here for a hearing. Reason given for the demand was that no Negroes served on his jury.

27e(2)

Porch charged Pickens County Negroes are "Systematically and arbitrarily" excluded from jury duty because of their color. The petitioner stated the county has more than 1,000 Negro residents. Porch also said he was given only a few minutes with his lawyers before the trial at which he was sentenced to the electric chair. The date set for execution was December 14.

Ga.

8244

3 Sought Here On Rape Claim

27h(2) Ga. Constitution

Atlanta and DeKalb County officers Thursday sought three youths on charges of severely beating and raping a 34-year-old housewife.

The housewife was discovered semiconscious early Wednesday lying in the street near 378 Kelly St., S. E., Ptl. J. H. Langley and R. W. Boyd said. She was wearing one shoe, patrolmen related, and the second was found near by.

Treated at Grady Hospital for bruises about the face, arms and shoulders, the victim said she met one youth in an East Atlanta restaurant. The two others joined them, she said, she told officers they drove to Avondale where she was beaten and assaulted.

After the ordeal, she said she was thrown from the auto.

Rape Suspect Gets 3-7 Years

Constitution

27h(2) Ga.

Clarence English, 38, Atlanta chemical company employee Tuesday was sentenced in Clayton County Superior Court to serve from three to seven years in prison on charges of raping a 10-year-old school girl.

The jury returned a verdict of guilty and fixed sentence after more than six hours of deliberation. A hearing last Fall ended in a mistrial.

Atlanta Dets. J. M. Pack and J. W. Ellington arrested English May 18, 1950, at the James L. Key Golf Course, a week after the alleged attack occurred. Two girls, one 10 and the other seven, said English stopped them in Grant Park and at knife point forced them into his automobile.

He drove to a dirt road near Ellenwood in Clayton County and attacked the older girl, they related.

Atlanta Ga.

2 East Point GIs Held on Rape Charges

Constitution

Jn. 3-23-51

Two East Point soldiers, absent without leave, Thursday were arrested on warrants charging rape sworn out by the father of a 13-year-old College Park girl, police said.

27h(2)

College Park Lt. E. E. Peppers identified the two as Emmett Boatner, 20, and James R. Stephens, 19, both listed as absent without leave from Ft. Jackson, S. C.

Atlanta

The girl and two soldiers were taken into custody Wednesday night on disorderly conduct charges, Peppers related. He said the father of the girl Thursday obtained warrants for the arrest of the soldiers on rape charges.

Ga. Ga.

The alleged rape occurred in a section of College Park that is in Clayton County, Peppers said. He added the warrants were obtained from a justice of the peace in Clayton County.

Investigators for the Criminal Investigation Division of the Army also were assisting in the probe. One youth was placed in the College Park jail, Peppers said, while the other was held in the East Point jail.

Girl Charges Photographer Attacked Her

Constitution

Dapper Dave F. Tally, 25-year-old Knoxville, Tenn., photographer, Tuesday was ordered held without bond for the Fulton County Grand Jury in connection with the alleged rape of a young Atlanta ten-cent store employee.

Dets. H. E. Burdett and M. W. Blackwell said the 21-year-old blonde charged Tally lured her to his downtown hotel room with promises of obtaining her a job with the studio he represented.

Atlanta Ga.

She charged Tally slapped her forced her to remove her clothing and then attacked her. Questioned by detectives she said she had a dozen human bite wounds.

Under cross questioning by W. T. Gower, attorney for Tally, she said she met Tally Friday night through some friends. She said they attended a dance near the outskirts of Atlanta and the following day Tally appeared at the store where she worked to invite her to his hotel room to see about the job.

27h(2)

Tally, here on a business trip, told the court that on the trip Friday night another man in the party "grabbed this young woman and they fell out of the parked car." He said the man and woman went for a walk after the incident.

Saturday afternoon, Tally related, he went by the ten-cent store and asked her to visit his room for a drink. He said she knocked at the door at 6:15 p. m. They had several drinks and then he went for more whiskey, he said.

Tally's wife was a spectator at the hearing before Recorder Frank White. Gower said the Tallys have a four-year-old child.

Two Indicted On Molesting Charges Here

27h(2) Ga.

Two Atlantans were indicted here Monday by a Fulton County Grand Jury on separate felony charges of molesting minor children.

Constitution

R. R. Gayton of 164 Carroll St., S. E., was charged with "immorally and lustfully molesting" a 10-year-old Smyrna girl visiting relatives in Atlanta June 27.

W. J. McEver, 44-year-old truck driver of 132 Georgia Ave., S. W., was accused of molesting an 11-year-old girl June 26 in a Georgia Avenue movie theater. Police records showed McEver was charged with assault with intent to rape in another case in 1942, but that the charge was nolle prossed.

The last General Assembly changed the violation of molesting a minor child from a misdemeanor, punishable by a maximum of 18 months imprisonment, to a felony with a miximum sentence of five years.

The incoming July - August Grand Jury Monday returned six other true bills. Indicted were: David W. Berry, Negro, of 17 Howell St., N. E., on three counts of sodomy; James L. Martin, Negro, of 105½ Decatur St., S. E., burglary; R. C. Rogers, Negro, of 394 Fourth St., N. W., larceny of an auto and larceny after trust; Frank F. Hopper, abandonment; C. T. Gibson, two felony counts charging larceny after trust; Homer Campbell, "cheating and swindling," and Katherine Cheese, Negro, two counts of larceny from a household.

Atlanta Ga.

Search Rushed Here For Assault Suspect

Attempted Daylight Attack Made Upon Woman, 3 Girls

27h(2) Ga.

By KEELER McCARTNEY

Atlanta officers Monday began an around-the-clock search for a youthful, neatly dressed white man who made brazen attempted assaults upon one woman and three children in the Grant Park area.

"Evidently he is a sex-crazed maniac, capable of anything," said Det. Supt. Glyn Cowan, who took charge of the case.

The attempted assaults occurred shortly before noon along the Cherokee side of Grant Park with dozens of spectators staring spellbound. A trolley operator who followed the man said he attempted to grab two young girls walking down the sidewalk even after the chase began.

Constitution

7-3-51

CLOTHING RIPPED

A 12-year-old Hapeville girl, visiting on Cherokee Ave., S. E., took a walk through the park and met the man as she was returning home, Dets. H. G. Mann and E. F. McKillop related. They said he seized her clothing and ripped it.

A woman holding a two-year-old baby rushed to the park entrance in response to the girl's screams. Detectives said the man knocked the infant from her arms and after it fell from her arms kicked it in the back.

27h(2)

R. H. Boleman, a trolley operator, said he was seated on the porch of his home at 777 Cherokee Ave., S. E., when he noticed the disturbance. Boleman gave chase down Cherokee Ave. towards Georgia Ave.

While the chase was on, Boleman said the man attempted to grab two young girls walking along the sidewalk.

Atlanta Ga.

MAN BOARDS BUS

The man boarded a trolley at Georgia and Cherokee Aves., police were told. Lt. J. J. Masters quickly threw a cordon of patrol cars around the area. Other officers intercepted the trolley at Whitehall and Mitchell Sts., S. W., but the suspect was not then aboard.

Evidently the man crawled out a window of the trolley before police arrived, Masters said. The operator told police no one answering that destcription left by the door.

Later the suspect—approximately 25 years old, five feet seven inches tall, weighing 145 pounds, with rough complexion and wearing a blue-green shirt with brown slacks and a brown felt hat—was reported seen at Kelly St. and Memorial Dr., S. E.

Declaring molesting cases are rapidly becoming the number one police problem in Atlanta, Cowan ordered an around-the-clock search until an arrest is made. He pointed out that as many as three molesters were held for state court at a single session of Recorder's Court recently and added:

"We are going to rid the streets of this type person even if we have to put every man on the job ahd forget about quitting hours until the job is done."

Rape Charge Jails Three At Dublin

Constitution

Jn. 7-13-51

DUBLIN, July 12—(AP)—Three Thomaston men were being held in Laurens County jail Thursday on charges of raping a 27-year-old woman Monday night, Sheriff Carlos Gay said.

He identified them as James Cuzon, about 35, Frederick Voss, about 25, and Boots McDaniel, about 27.

Atlanta

Gay quoted the woman as saying she was passing through Dublin on the way to visit relatives in Savannah when she met the men who offered to take her to Savannah.

27h(2)

She told the sheriff the men were drinking but were very nice to her until it got dark. Gay said they raped her several times and then tossed her out of the car on a country road.

Ga.

A resident of the area found the woman unconscious and called Gay. He brought her to a Dublin hospital. He said the woman had been badly abused but was in fair condition.

Air Policemen Invade Georgia Jail, Abuse Two

37L(2) Ga-

Civilian Police Sergeant Forced to Resign; 'Drastic' Action Taken Against Culprits

Afro-American

SAVANNAH, Georgia — Air Force officials at Hunter Air Base here admitted on Thursday that two white air policemen had been permitted by a white civilian police sergeant to enter a Savannah jail and criminally attacked two colored women prisoners whom they selected from a group.

Sat 7-14-51

Baltimore Md.

Full details on the incident were not immediately available, but spokesman for the Air Force said civilian police sergeant had been forced to resign after the women complained.

The spokesman added that "drastic" action had been taken against air police, one of whom was a non-commissioned officer.

Woman Criminally Assaulted, City Police Report

37L(2)

An Atlanta woman was criminally assaulted early Saturday morning by a man who threatened her with a knife when she came out of a restaurant on Bedford Pl., police said.

Daily World

Radio Patrolmen E. C. Carter and J. S. Russell found the assaulted woman and rushed her to Grady Hospital where she was examined by staff officials.

Tues.

The victim was quoted as saying the man came up behind her when she was leaving a restaurant about 2 a. m., where she had been to get a soft drink. The assailant reportedly placed a knife around her neck and [illegible] a nearby drive way, silencing her by threatening to cut her head off if she refused to submit to his demands.

7-3-51

Atlanta Ga.

Rape Suspect Held Without Bond

Sat 9-15-51

Advocate

ATLANTA, Ga., Sept. 8.—(Special)—A white rape suspect—who Wednesday was arrested on suspicion of rape of a 21-year-old Negro woman—was bound over to the Fulton County Grand Jury Thursday afternoon, according to Detective M. W. Blackwell.

Jackson Miss.

Blackwell said Charles E. Brown, 35, 792 Park Street, S.W., was bound over to the grand jury without bond after a hearing on Thursday afternoon.

37L(2)

Brown allegedly lured the 21-year-old woman to his home to do house work, but criminally assaulted her once they were inside. Police said they found the knife he reportedly used to force the woman into submission.

Ga

The victim of the criminal assault was a resident of Riverside, Ga. The attack, according to the victim, took place at approximately 12:45 p.m., September 1. Included in the list of witnesses was a white taxi cab driver who said he took the white man and his alleged Negro victim to the former's apartment Saturday. Brown reportedly told the victim that his wife was ill when he asked her to do some house work for him.

Advocate Sat 9-15-51

Jackson Miss.

37L(2)

Decision Overrules Rape Indictment Of Aaron Robinson, 19

Daily World

Wed. 9-12-51

27e(2) Ga.

BY ROBERT E. JOHNSON
Atlanta Daily World Staff Writer

DECATUR — (SNS) — A 71-year-old discriminatory practice which deprived Negroes of a right to serve on DeKalb juries by keeping their names off trial and grand jury lists ended yesterday by a superior court justice court decision.

The ruling was handed down by DeKalb Superior Court Judge Frank Guess, who sustained a "Scottsboro" motion to quash the indictment of 19-year-old Aaron Robinson on his claim that Negroes were not allowed to serve on the grand jury which indicted [illegible]

The decision, scrapping DeKalb's "lily white" jury lists, came immediately after Solicitor General Roy Leather told the court that he could not offer proof that Negroes have ever served on DeKalb juries. In making this admission to the court, the solicitor general said:

"We have been expecting this to come for a long, long time .... We know that a darky (Negro) gets a fair trial in DeKalb County," He continued:

"I regret deeply that this case was filed. Any 15 cents attorney has known Negroes were excluded from jury service) for years. The State can't show when Negroes have been in the grand jury box or subpoened on the jury in my 25 years of practice in these courts. The burden is on us to prove that Negroes have served. We can't do that.

"Unfortunately, I don't know a darky (Negro) with the intelligence, character, honesty and integrity to serve on the jury. But it is my opinion that there is nothing to do except to ask the court to sustain this plea in abatement." He then added:

"As long as I have got any strikes, there will have to be a lot of Negroes called for one of them to serve. I've got ten strikes and I'll use all of them on Negroes," he said.

Judge Guess, in quashing the indictment of Robinson, an Ellenwood youth charged with raping a white woman, pointed out the Georgia Supreme already has ruled on this question. He noted the United States Supreme Court also ruled on the question adding that "We must follow what the court has said."

"This is the first time I have heard such a plea," he said and then observed:

"For 71 years this plea could have been filed. The fact that it had not been filed before now is a tribute to our lawyers. A lot of fine colored lawyers and others have never before raised the question because they know DeKalb County gives a fair trial." He added:

"I am sorry this action had to come at a time when our jury commission of its own volition w a s endeavoring to place the names of Negroes in jury boxes."

Daily World 9-12-51 Atlanta Ga.

Earlier in the hearing, Fred Cannon, a member of the board of jury commissioners, testified that he attempted to obtain Negroes for the juries but found "none qualified."

Attorneys for Robinson, Jesse T. Edwards of Valdosta, Bruce and Joe Edwards of Atlanta (all brothers), called three Negro witnesses.

Each witness testified that he owned property, paid taxes, lived in DeKalb County, voted in local and general elections, has never been convicted of a crime, has never been called to serve on DeKalb juries and would be willing to serve if summoned.

The witnesses identified themselves as Richard Stokes, 51, Porter, Decatur First National Bank, who said he has served on a federal district court jury; James A. Lowe, 45 owner of a Decatur Dry Cleaning establishment, and Riley Preston, a DeKalb stone mason.

Under the decision by Judge Guess, the young rape suspect will have to be summoned before a new grand jury drawn from a box which contains the names of Negro grand jurors. He is being held in jail without bond, pending a grand jury hearing.

Judge Guess said he would ask the jury commissioners to immediately revise the present jury lists to include the names of Negroes.

Rape Suspect Held Without Bond

27e(2)

Daily World Ga. 9-7-51 Atlanta Ga.

A white rape suspect—who Wednesday was arrested on suspicion of rape of a 21-year-old Negro woman—was bound over to the Fulton Grand Jury Thursday afternoon, according to Detective M. W. Blackwell.

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The victim of the criminal assault was a resident of Riverside, Ga. The attack, according to the victim, took place at approximately 12:45 p. m., September 1. Included in the list of witnesses was a white taxi cab driver who said he took the white man and his alleged Negro victim to the former's apartment Saturday. Brown reportedly told the victim that his wife was ill when he asked her to do some house work for him.

Youth Gets 12 To 20 Years In Assault Case

Daily World

Sun., 12-2-51

Ga.

Vernon Sylvester Matthews, 18, of 56 Bell Street, S. E., the first of eight youngsters charged with raping a 35-year-old white woman near the Municipal Market on July 3, was convicted of assault with intent to rape by an all-white jury Friday in Fulton County Superior Court, and Judge Virlyn B. Moore sentenced him to serve 12 to 20 years in the penitentiary.

P.T. 27e(2)

As the trial got underway, Thursday, Judge Moore ruled that the evidence presented by the State did not measure up to the legal requirements for the offense of rape. and directed the jury to consider the lesser offense of assault with intent to rape.

Atlanta Ga.

All eight defendants were jointly indicted for rape on July 27, but requested separation of their cases. According to Superior Court clerks, the others will be scheduled for trial later.

REVIEWING THE NEWS

BY WILLIAM GORDON

Stigma Of Southern Justice

Last week in Atlanta, a Negro mother was carried from the Fulton County Superior Court uttering in a high voice, "Lord have mercy! Lord have mercy."

27 E (2) Ga.

The woman was the mother of James Avery, convicted and given the death sentence on an alleged rape charge by an all white jury. Avery is scheduled to die in the electric chair on November 2. Memphis, Tenn World

On the same day in Eatonton, Ga. another man was sentenced to die in the chair. Newspaper headlines screamed out still another incident involving four young Negro men who were sentenced to die in Charleston, S. Carolina while another was given a life sentence for the death of a white man. The electric chairs will be kept rather busy in the deep South during the next few months, and especially in South Carolina and Georgia. Anyone reading the newspapers in this country would get the impression that the only segment of our population which stands out in crime is that of the Negro group.

9-25-51

The cries of Mrs. Avery, mother of the condemned youngster here in Atlanta could be multiplied many times. There must have been other mothers in other areas of the South calling out for mercy in behalf of those who had become victims of what seems to be more than a crime — rather a condition which has been created by the communities in which we live. Many of these young Negroes who go to the electric chairs in the South annually are not guilty of the crimes they are accused of. Being more specific, they are in most cases victims of a pattern and a tradition being maintained by those who administer the law and deal out what they themselves call justice.

Statistics will show that most of the victims of rape and murder charges are young men from the pauperized sections of the South and they live from day to day under a condition which will poison the soul of any human being. They are without the proper educational and recreational facilities. They are denied the right to earn a decent living as a human being and when it comes to obtaining justice before the law, they are represented by people who have become prejudiced against the Negro and everything that he represents. These charges may sound like generalizations, but they are familiar to every man, woman and child who is acquainted with Southern justice.

The six young Negroes who will no doubt die in the electric chairs within the next few weeks represent the result of the kind of justice in the South, which by and large needs correction. The killing of these young Negroes will not solve the problem of crime in the South. The death of these men will live as a stigma to the leadership and the things we represent below the Mason and Dixon Line.

Perhaps, the greatest social problem confronting the South today, is the problem of making democracy work, here where it is most needed. Until this problem is solved, the South's bid for moral leadership throughout the country will continue to be handicapped.

Among the most glaring breakdown in the working of democracy in the South is found in the unjust and uncharitable discrimination of justice as practiced against the Negro. Until this defect in the operation of our machinery here is remedied, it is idle to say that we follow the rest of the world in a program for human rights. It is without question that the time has come when we must practice what we preach or stop preaching.

27e(2) 1951 Germany 8246

GI WHO RAPED GERMAN GETS 20 YEAR TERM

27e(2)

FRANKFURT, Germany, Aug. 24 (AP)—Pvt. Harold L. Frye, 22, of Mount Gay, W. Va., was sentenced today to serve 20 years in prison for raping a 21 year old German and beating her father. Pvt. James C. Johnson, 20, of Little Rock, Ark., was sentenced to five years for assaulting a German man with a pistol and another with his fists and feet.

[illegible] 8-25-51

Frye was convicted by a United States army court of having raped Thea Juli, whom Pvt. Bill Adams of Ysleta, Tex., was convicted of trying to rape. Adams has been sentenced to nine years in prison. Miss Juli, who said she was the mother of an illegitimate child, testified that after Adams failed in his rape attempt, Frye attacked her. She said that Frye hit her father when he tried to aid her, and that Johnson then held her father off with a pistol while Frye raped her.

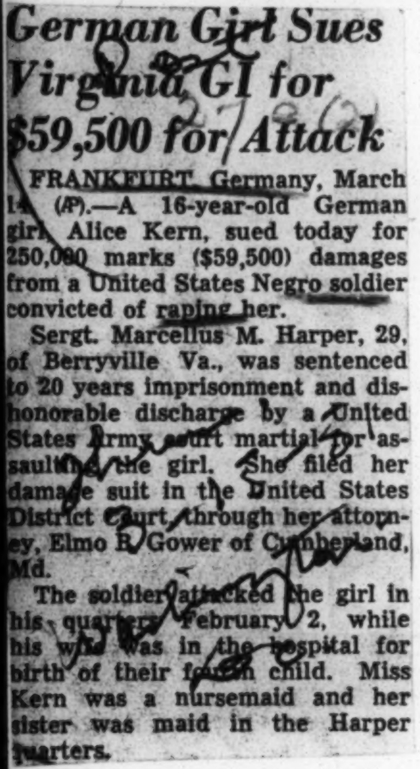
27e(2)

Germany

The offenses took place at a beer party at the Juli home near Fulda on July 23.

27e(2) 1951 Germany (Negro Soldier)

8247



German Girl Sues Virginia GI for $59,500 for Attack

27e(2)

FRANKFURT, Germany, March 14 (AP).—A 16-year-old German girl, Alice Kern, sued today for 250,000 marks ($59,500) damages from a United States Negro soldier convicted of raping her.

Sergt. Marcellus M. Harper, 29, of Berryville Va., was sentenced to 20 years imprisonment and dishonorable discharge by a United States Army court martial for assaulting the girl. She filed her damage suit in the United States District Court through her attorney, Elmo B. Gower of Cumberland, Md.

The soldier attacked the girl in his quarters February 2, while his wife was in the hospital for birth of their fourth child. Miss Kern was a nursemaid and her sister was maid in the Harper quarters.

Rapist Seized on Dad's Call Gets 20 Years

27e(2)

George Witkowski, 21, of 4053 Nelson st., a former laundry truck driver, was sentenced yesterday to 20 years in the penitentiary, by Judge Julius H. Miner in Criminal court, on his plea of guilty to raping a Rogers Park housewife, mother of two children, in her home in N. Campbell av. last July 12.

Tribune

Witkowski changed his plea to guilty after a jury had been selected to try him on an indictment charging rape and crime against nature.

Jan. 1-9-51

Posed as Water Inspector

Posing as a water inspector, Witkowsky gained admittance to the kitchen of his victim's home the afternoon of July 12. Seizing a butcher knife from a cabinet drawer, he forced his victim into a bedroom and compelled her to disrobe. He raped her after compelling her to commit an unnatural act.

The only clew to Witkowski's identity was the fact that the rapist carried what appeared to be shipping tags in his shirt pocket. Police reasoned that he must be a truck driver, and finally determined that he was employed by the Central Wet Wash, 3935 N. Central av.

'Atrocious,' Judge Says

Witkowski, learning that inquiries were being made about him, fled. He was arrested last Aug. 28 in Charleston, S. C., after he had telephoned his father, asking for money. His father notified police.

"One place a wife and mother should be able to feel safe is in her own home," observed Miner in pronouncing sentence. "In this type of case we must deal with the defendant harshly. Nothing I can say or do will heal the wounds of the victim in a case of this type. All I can do is to impose a sentence which will serve as a deterrent to others. This was an atrocious, mean, and inhuman act."

GOVERNOR CUTS RAPIST'S TERM TO ONE-FOURTH

Tribune

40-50 Year Sentence Imposed in 1945

[Reprinted from yesterday's late editions]

Gov. Stevenson Friday cut to one-fourth the prison term of a young rapist who was convicted here in 1945 and sentenced to serve 40 to 50 years.

27e(2)

The beneficiary of this leniency is Joseph Jackson, Negro, of 6040 Elizabeth st. When he was found guilty he was 15 years old. His crime drew from Judge Harold G. Ward the comment that it was as heinous as murder or treason.

In fixing sentence the judge decreed that Jackson and his three co-defendants be placed in solitary confinement on the anniversary of their crimes.

7-8-51

Points to Board's Findings

The governor said yesterday he had acted upon the findings of the parole board which declared Jackson had no record of previous difficulty and had "apparently been recruited by a somewhat more mature and confirmed group of delinquents for participation in the offense because he had use of a borrowed car."

Jackson, under the commuted sentence, will become eligible for parole consideration with "good time" allowance for proper behavior after he has served a total of 10 years and three months, or until October, 1955.

Under the law the age of 15 is considered too young for rape. Consequently Jackson, because of his youth, was found guilty only of robbing the victim of the crime.

Follow Victim by Auto

Jackson and his accomplices followed her by auto after she had boarded a street car leaving the plant where she was employed and accosted her when she alighted.

Threatening her with a knife, they forced her to accompany them to an isolated spot where they tore off her clothes and attacked her after taking $4 from her purse.

"I acted as I saw fit under the circumstances and imposed the sentence recommended by the state's attorney," Judge Ward said yesterday.

Cuts Slayer's Sentence

[Chicago Tribune Press Service]

Springfield, July 7—Gov. Stevenson yesterday cut in half the 50 year sentence a Warren county Circuit court gave Richard W. Sells for murdering a 78 year old widow who scolded him.

Sells was 13 years old when he was sentenced in 1945. The commutation granted today makes him eligible for parole consideration after serving eight years and four months, or on March 15, 1954, when he is 21 years old.

Sells pleaded guilty to murdering Mrs. Mary A. Johnson of Kirkwood with a length of pipe after she had scolded him for crossing her lawn. The governor commuted the sentence, his announcement said, on recommendation of the pardon board.

27e(2) 1951 Kentucky

8251

Term Suspended For Father of 12 In Rape Case

Journal

Clarence Zimbro, 44, father of 12 children, yesterday was given a five-year suspended sentence in Criminal Court for attempted rape.

Jour. 6-9-51

Zimbro, a truck driver, who lives on Cooper Chapel Road, received the sentence last month on a plea of attempted rape of a 12-year-old girl. Judge L. R. Curtis suspended the sentence on the motion of Assistant Commonwealth's Attorney Harry Poynter. He read the written plea of Zimbro's wife: "I want my husband placed on probation so that he can support our family."

Terms of the probation require Zimbro to refrain from drinking and gambling.

27e(2)

Ky.

8249

Prominent Girl Tells How She Was Raped After First Kiss In New Orleans Trial

Daily News

Wed.

NEW ORLEANS — (AP) — A quiet-voiced 20-year-old girl told a jury Wednesday that Andrew S. Messick, Jr., 20-year-old cotton broker, raped her ten months ago after their first kiss.

Cecilia Patricia Ross, daughter of a well known family, told the story calmly, breaking into tears only once.

Messick is the youngest cotton broker ever admitted to the New Orleans Cotton Exchange. Prior to his arrest he worked there as a broker in his father's firm.

Miss Ross broke into tears early in her testimony when she told the jury Messick attempted to fondle her aboard his father's yacht on their second date.

"He sat me down on a bed. Then he started getting fresh x x x touching me on my breast," she said.

27e(2)

After regaining her composure she told the jury that Messick apologized for his behavior and made no more advances until the night of May 21, 1951, when he took her aboard his father's yacht again.

She said that as they stood in the cockpit of the yacht young Messick pulled her to him in a tight embrace.

She was frightened, she said, adding "he had a maniac's expression on his face."

She broke away from him after he kissed her, she said, and tried to run off the boat. But, she said, Messick caught her and carried her screaming into the yacht's cabin and "threw me down on a bed and locked the door."

3-28

"He jumped on top of me. I was so scared I couldn't scream. I felt like I was suffocating. He said that if I would sit up and calm down he would take me outside."

Later, however, she said, he began to struggle with her again.

"He told me if I did not stop yelling he was going to gag me. He raised a pillow and I didn't know what he was going to do—suffocate me, or what."

She said he pinned her to the bed with the weight of his body, with his elbow on her collarbone and his arm across her throat.

"He tried to pull my legs apart with his hands," she testified. "He tried to rape me but he didn't succeed. He turned me over and tried again."

"You mean he turned you on your stomach?" Philip Trice, assistant district attorney asked.

"Yes," she said.

"Then he turned me over again," Miss Ross said, "and raped me."

She testified she had read about such things and was afraid and put up a fight for her life.

Broker Held Not Guilty In Rape Trial

27e(2)

NEW ORLEANS, March 30 (AP). A jury that listened for two days to a tale of lovemaking in the cabin of a moored yacht on Lake Pontchartrain decided today 20-year-old Andrew S. Messick, jr., was innocent of rape.

Post

The jury of middle-aged men acquitted the young cotton broker of aggravated rape of a 19-year-old brunette.

The verdict was reached after 10 minutes deliberation at 2:05 a. m. (CST), and was greeted with cheers and applause by the 200 or more spectators crowding the courtroom despite the hour.

3-31-51

The testimony of both the girl and Messick agreed the intimacy occurred the night of last May 21 aboard his father yacht.

She contended Messick raped her after she struggled fiercely and was finally physically overpowered. She also denied she had granted Messick liberties on any of three previous dates during their six weeks' acquaintance.

Messick testified she had allowed him liberties previously, and that on the night she claimed he raped her she willingly submitted to him.

Young Broker Testifies Belle Yielded to Him

27e(2)

NEW ORLEANS, March 28—(U.P.)—A wealthy young cotton broker testified Thursday that a pretty brunette accompanied him to his yacht cabin "absolutely willingly" the balmy May night he is accused of raping her and even whetted his passion with a kiss.

Constitution

Andrew Messick, Jr., 20, whose socialite father set him up in the brokerage business, denied that he assaulted the shapely, 19-year-old beauty as she had claimed.

3-30-51

The young woman told the jury hearing Messick's trial that he dragged her into the cabin of the yacht Wuffie and ravished her despite her screams and struggles.

But Messick said that her only resistance was a coyly spoken "don't" when he first embraced her and that she melted into submissive willingness as his lovemaking progressed.

"She walked on her own feet into the cabin, absolutely willingly, and sat down on the side of the bed," Messick said.

Broker Denies Love on Yacht Was 'Forced'

NEW ORLEANS, March 29 (U.P.). A wealthy young cotton broker testified today that the pretty brunette he is accused of raping "offered no resistance" when he made passionate love to her aboard his yacht on their second date.

27e(2)

Post

Andrew Messick, jr., 20, whose socially prominent father set him up in the brokerage business, said he and the girl went almost to the point of intimacy when they boarded the yacht in Lake Pontchartrain so he could charge the boat's batteries.

Listened to Soft Music

The State charges that the next time they went aboard the yacht—on the third date,—Messick raped her.

Messick told the jury hearing his trial that she accompanied him on the second date to the aft cabin, where they sat on a bunk and listened to soft music on the radio.

3-30-51

Washington

"I put my arm around her, kissed her and . . ." Messick said. ". . . She did not resist." He added that the lovemaking stopped short of intimacy.

The girl denied while being cross-examined yesterday that she had submitted to heavy petting. She testified that on their third date, Messick lured her on the yacht, locked her in the cabin and raped her as she screamed and resisted.

Elder Messick Testifies

Andrew Messick, sr., told the jury earlier today his son couldn't have locked Miss Ross in the cabin of his yacht to rape her, because the door could be locked only from the outside.

She had testified: "He carried me into his cabin. He threw me down on the bed. He locked the door. Then he locked something else about three feet from me."

The first defense witness was Leon Trice, a commercial photographer, who identified pictures he had taken of the yacht cabin door. The defense wanted to show that the door was narrow and it would have been difficult for Messick to have carried her inside, if she were kicking and screaming as she had testified.

Police Lieut. James Blass, who arrested Messick, testified as a State witness that Messick had admitted taking the girl to bed on the yacht, but had said "she was willing."

New Orleans Jury Frees Cotton Man Charged With Rape

NEW ORLEANS, March 30—(AP)—A jury that listened for two days to a torrid tale of love making in the cabin of a moored yacht on sultry Lake Pontchartrain decided Friday Andrew S. Messick, Jr., was innocent of rape.

27e(2)

Advertiser

The jury of middle-aged men acquitted the 20-year-old cotton broker—youngest ever admitted to the New Orleans Exchange—of aggravated rape on Cecilia Patricia Ross, also 20.

3-31-51

The verdict was reached after 10 minutes deliberation at 2:05 a.m. (C. S. T.), and was greeted with cheers and applause by the 200 or more spectators crowding the courtroom despite the hour.

Miss Ross, small, pretty, brunette, and a former convent student, is employed by a credit rating firm. Her father is a well known auditor for a barge line here.

Montgomery

Messick, who testified he is engaged to wed a Chicago, Ill., girl, is scheduled to leave April 1 for California to undergo training as a Marine private.

He enlisted in the Marine Reserve last December after returning here from Chicago where he had worked in a branch office of his father's firm for six months. He did not identify his fiancee.

JURY SELECTED FOR RAPE TRIAL

27e(2)

DA Says Capital Verdict Will Not Be Sought

Times Picayune

Selection of a jury was completed at 5:25 p. m. Tuesday in the case of Andrew J. Messick Jr., 20-year-old cotton broker charged in criminal district court with aggravated rape last May 21 of a 19-year-old woman.

Criminal District Court Judge J. Bernard Cocke, in whose court the trial is being held, ordered a supper recess until 8 p. m., when the first witness was scheduled to testify.

Wed 27e

3-28-51

The jury was completed with the selection of the following four persons: Duke C. Harris, Frank S. Irion, Lester E. Engelhardt and William J. Wright.

Others already selected on the jury are Lester R. Brandt, a superintendent for General Motors Corporation; Arthur J. Derbes, a hardware and appliance salesman; Thomas E. Dupuis, personnel manager; Albert W. English, department head, Esso Standard Oil Company; Harold J. O'Reilly, a shipping office employe, American Sugar and Refining Company; Gordon U. Sanford, purchasing agent, Alcoa Steamship Company; Arnold R. Schlottman, serviceman, D. H. Holmes Company, ltd., and Percy H. Youngblood, salesman, Jacobs Candy Corporation.

In question prospective jurors District Attorney Severn T. Darden pointed out that the state was not asking for a capital verdict in the case.

Darden was assisted by first assistant district attorney Edward A. Haggerty Jr., and assistant district attorney Philip Trice Jr. Attorneys representing the defendant are Hugh M. Wilkinson, Hugh M. Wilkinson Jr., and Warren Coleman.

Messick is being tried on a charge that allegedly grew out of an attack aboard a yacht at West End. He was indicted Feb. 8 by the Orleans parish grand jury.

Man Who
ed Mob
ces Chair

27e(2)

By JOHN E. ROUSSEAU

La

ELOUSAS, La.—The Louisiana rape law which ap-
ly to Negroes accused of attacking white women,
im another victim June 8 in the St. Landry Parish
ouse here. Governor Earl K. Long, last week, fixed
date for execution of Edward Honeycutt, 24-year-old
War II veteran, twice convicted for aggravated rape
white housewife in Eunice, La.

**icial notification from the
rnor was received Wednes-
May 9, by Sheriff Clayton
lbeau and District Attorney
F. Fontenot, that the execu-
will be held between 12
lock noon and 3 P. M., June 8.
e state's portable electric
air will be brought here for
e execution.**

Courier

oneycutt was convicted for
crime which allegedly oc-
red in December, 1948. His
st trial was set aside by the
ate Supreme Court on the
ounds that the state did not of-
sufficient rebuttal to Honey-
cutt's claim that he was forced to
make a confession.

He was reindicted by a grand jury that included, for the first time in the history of St. Landry Parish, two Negroes. Honeycutt was again tried and found guilty.

Attys. Louis Berry, New Orleans; Edward Jackson and Vanue B. Lacour, Baton Rouge, who entered the case shortly before the second trial made an appeal on the grounds that the trial was not according to law. The conviction was sustained, however.

Mr. Berry told the Courier last week that an appeal will be made to the State Pardon Board and that an appeal to the United States Supreme Court is being considered.

Honeycutt narrowly escaped lynching on March 6, 1949, when he was spirited from his jail cell here by three white men. They are Maxile Savoy, a former deputy sheriff of St. Landry Parish; Ariel Ledoux, a St. Landry supervisor of the Federal-sponsored veterans-on-the-farm training program, and Edward Miller, a Baton Rouge construction worker.

The three men pretended one of their number was intoxicated and thus gained admittance to the jail. They seized Honeycutt, placed him in an automobile and drove to the Atchafalaya River, some thirty miles from the jail.

He escaped by diving into the river as his abductors matched coins to determine which of them would kill him. Honeycutt hid in the thick underbrush near the river and surrendered later to a Krotz Springs law officer.

The three men were charged with kidnaping and were released on bonds of $5,000 each. The St. Landry Parish Grand Jury, however, did not act on the case and it is not likely that they will ever be tried for the alleged kidnaping.

Then, too, if Honeycutt's execution is carried out as scheduled there will be no witness against them.

CRC CONTINUES HONEYCUTT FIGHT

Times Picayune

Makes Last-Minute Appeals as Execution Nears

Fri. 6-8-51

(The Associated Press)

Opelousas, La., June 7 — The Civil Rights Congress, branded by the justice department as Communist and subversive, began a last-ditch fight Thursday to save Edward Honeycutt, 24-year-old convicted Negro rapist, from the electric chair.

Honeycutt is scheduled to die between noon and 3 p. m. (CST) Friday.

27e(2)

The Civil Rights Congress was unsuccessfully active in efforts to save Willie McGee, also a convicted Negro rapist, from death in the electric chair at Laurel, Miss., May 8.

La

Both Negroes were convicted of raping white women, and the Civil Rights Congress contended racial prejudice was involved in their convictions.

Alvin Jones, New Orleans Negro attorney, filed a petition with Judge Lessley Gardiner in civil district court asking a writ of habeas corpus. The judge denied the petition.

Other attorneys meanwhile notified state supreme court clerks at New Orleans they would take the case before that court Friday.

The Civil Rights Congress in a prepared statement from New York announced retention of Jones and two other attorneys to wage the last-minute fight, and said that if necessary it would carry the case into the federal courts. The CRC identified the other attorneys as Lew Fleischer and Albert Socolov, both of New York.

The CRC said it entered the case after the National Association for the Advancement of Colored People refused to appeal Honeycutt's death sentence beyond the state supreme court after his second conviction was upheld.

Honeycutt was convicted of the rape of a white housewife near Eunice, La., in Southwest Louisiana, in 1948. His first conviction was upset by the state supreme court on the grounds that the state had not shown a confession admitted as evidence which had been obtained without coercion.

HONEYCUTT DIES IN ELECTRIC CHAIR

Last Minute Supreme Court Appeal Fails

Times Picayune

By E. M. CLINTON
(The Times-Picayune Capital Correspondent)

Opelousas, La., June 8—Edward Honeycutt, 25-year-old Farmerville Negro, died in a small chamber on the third floor of St. Landry parish courthouse here Friday for the 1948 rape of a Eunice housewife.

Sat. 6-9-51

He died at 12:12, only 22 minutes after the state supreme court refused to issue a writ of habeas corpus to halt the execution.

New Orleans

Attorneys waiting in the US Fifth Circuit court of appeals at New Orleans did not have time to obtain action by that court.

La

Efforts to obtain such a writ failed in state district court in Opelousas Thursday.

27e(2)

His rape victim and her husband sat in stoic attention a few feet from the state's portable electric chair brought here from Angola state penitentiary.

Outside, on the lawn of courthouse square, a shirtsleeved crowd which included few women and fewer Negroes maintained a somber silence as the hum of the chair's special generator mounted shortly after high noon, the early limit on the death warrant signed by Gov. Earl K. Long a month ago.

Honeycutt, twice convicted by St. Landry juries, was apparently unconcerned with the failure of attorneys for the Civil Rights Congress to succeed in their efforts to get a stay of execution.

At 11 o'clock, according to Sheriff Clayton Guilbeau, the condemned man ate a hearty meal of bacon, sausage, eggs and milk —the menu he had requested.

An hour later, at the stroke of noon, he started the short, slow journey from his cell to the execution chamber flanked by Chief Deputy Sheriff Arthur Richard and the Rev. J. Odis Dumas, pastor of the Big Bend Baptist church near Hamburg, La., who has been Honeycutt's spiritual adviser.

In his hand the Negro youth carried a prayer book.

He asked that the book be given to Rev. Dumas but had no other requests nor remarks as he was strapped into the cumbersome chair.

Before his execution, Honeycutt told Sheriff Guilbeau: "I'm not worried; I'm ready to go—the quicker the better."

At 12:03 the state's executioner threw the switch, mounted on a control panel within five feet of the chair.

A second jolt followed five minutes later.

And at 12:12 Drs. Gerald Bertinot, parish coroner, and Fred Mayer, Opelousas physician, pronounced Honeycutt dead.

Futile Attempt

Ironically, Honeycutt's lawyer in Washington was making a futile attempt to get the supreme court to intervene after Honeycutt already had been put to death.

About 40 minutes after the execution but still unaware of it, attorney Ralph Powe left Justice Frankfurter's office and told reporters Frankfurter had just denied a stay of execution. Frankfurter was the only member of the court available Friday.

Times Picayune

The execution chamber was well-guarded with state police and sheriff's deputies. Many city policemen mingled with the crowd outside, but there were no disturbances, no sign of picketing, no display of emotion of any kind despite the national attention that was focused on the case after the Civil Rights Congress, branded by the US attorney general's department as Communist, announced that they would seek a stay of execution.

Sat 6-9-51

The National Association for the Advancement of Colored People dropped their efforts in Honeycutt's behalf after his second conviction.

The first conviction was ruled out by the supreme court after attorneys had claimed that Negroes were barred from the grand jury which indicted him.

27e(2) 1951 Louisiana

8250

Race Permitted On Grand Jury, Barred At Poll

Move To Quash 'Illegal' Indictment Of Plaquemine Negro On Rape Charge

Louisiana Weekly

Sat. 6-23-51

New Orleans

(By Staff Correspondent)

Pointe-a-la-Hache, La.—Plaquemines Parish is a place where Negroes are permitted as members of the grand jury, but are barred from the polls as registered voters.

This was discovered when Louis Taylor, a Negro farmer, confined in the Plaquemine Parish jail on charges of rape and attempted rape, was indicted by the grand jury.

27e(2)

Attorney [illegible] Wray Gill, legal counsel for the defendant, filed a motion to quash the indictment against Taylor on grounds that the grand jury as drawn, selected and empanelled was illegal, and that it is null and void and should be quashed, and that one member of the jury is related to the alleged victim, which is prejudicial to the grand jurors.

Many witnesses for the defendant were questioned and cross-examined by Atty. Gill. The testimony brought out the fact that of 300 names from which the jury was picked, 11 were Negroes, but the system used by the jury commission, is not systematic and does not conform to state laws and constitution but to tradition and patterns set by the parish.

District Attorney of Plaquemine was "Judge" Leander Perez, who was exposed last year as the political potentate of Plaquemine and St. Bernard Parishes, and as the No. 1 Dixiecrat of Louisiana, barring all who are opposed to his form of government, which includes Negroes.

Taylor, according to police information, was arrested on January 20, upon the identification of him by the mother of a young white girl, who accused the defendant of rape. The mother of the girl claimed that she beat the defendant until he was forced to leave their home. Later Taylor was picked up as a suspect.

Those who are close to the Plaquemine situation declare that Taylor was never arrested for a previously reported rape of a white woman on November 16 at her home, but the rape victim identified Taylor as her attacker, when he was arrested on January 20 for attempt of rape of a young girl.

27e(2)

Believing that the man is innocent, Attorney Gill took the case before the 25th Judicial Criminal Court of Plaquemine of which the Honorable Bernard Cocke is judge, and filed a motion to have the indictment quashed. The case has been set for a hearing on July 9.

Stay Death Penalty For Washington

Justice Douglas Grants Eleventh Hour Reprieve

WASHINGTON, D. C.—(NNPA) Justice William O. Douglas of the United States Supreme Court last Friday halted the execution of Paul Washington, 26-year-old colored man, one hour and 20 minutes before he was scheduled to go to the electric chair for raping a Louisiana white woman.

The stay of execution was won by attorneys for the Civil Rights Congress. It will remain in effect until the Supreme Court passes upon Washington's petition for a review of his case at its next term, beginning October, or until proceedings are instituted in the Federal District Court on application for a writ of habeas corpus.

27e(2)

Justice Douglas acted after Justice Harold H. Burton last Thursday night refused to stay the execution. Justice Burton's denial of a stay was the fifth rebuff to Washington's attorneys, James T. Wright and Ralph Powe of Washington, Louis T. Berry and Alvin T. Jones of New Orleans, and Louis Fleischer of New York.

At the time Washington was notified of the mandate of the Supreme Court staying his execution, it was reported from New Orleans that he had been shaved and shorn for Louisiana's portable electric chair and was sitting moodily in his cell in the Jefferson Parish (county) jail at Gretna, across the Mississippi river from New Orleans.

He had eaten his last meal there, a few feet from the spot where the electric chair was set up last Thursday in readiness for his execution.

A New Orleans dispatch said Washington merely smiled but said nothing, according to jail attaches, when told that Justice Douglas had granted the stay in Washington.

Washington's attorneys contended that he had not been adequately represented by counsel at his trial on the rape charge, that he had been illegally arraigned, and that a confession had been forced from him. They also contended that Louisiana reserves the death penalty solely for colored men accused of attacking white women. They said records of the Secretary of State of Louisiana disclosed that since 1907 not one white man has been put to death for rape as compared to 29 colored men charged with raping white women.

Washington was convicted in 1948 on charges of raping a 48-year-old Jefferson Parish white woman. Another colored man, Ocie Jugger, was convicted of rape in the same case, but escaped from the parish prison while awaiting execution. He has not been recaptured.

27e(2)

State and Federal courts and Governor Earl K. Long of Louisiana had refused to intervene before Justice Douglas granted the stay.

La. Minister Being Tried On Alleged Rape Charge

If convicted of a rape charge, a young Louisiana Baptist minister-college professor faces, under Alabama criminal statutes, a death sentence or a prison term ranging from ten years to life, a court officials said yesterday here.

Word

A Birmingham World reporter was given this information during the first round of the "Pray for My Sick Aunt" alleged rape case hearing of the Rev. (Dr.) A. M. Saulsbury, young pastor of a Baptist church in Shreveport, La., on last Wednesday, September 19, before Circuit Judge Alta L. King here.

27e(2)

Dr. Saulsbury was being tried for the alleged criminal attack on a 17-year-old high school girl in her home here last May 7 morning.

The case, which began Wednesday morning at 10 o'clock and lasted through four o'clock that evening, was scheduled to go into its second hearing yesterday (Thursday) morning at nine.

9-21-51

At the time the alleged criminal attack was brought to light, Rev. Saulsbury was conducting a three-week revival at the Mt. Calvary Baptist Church, pastored by the Rev Calvin Perkins, and of which the young girl was reported a member.

During a preliminary hearing in Judge G. C. Boner's court last May 15, Rev. Saulsbury was bound over to the Grand Jury and released on a $2500 bond.

In the May 15 hearing it was brought out that the young girl's aunt with whom she resided here reportedly did not swear out a warrant for the minister's arrest until May 10— three days after the alleged attack.

Present at Wednesday's hearing were Rev. Saulsburys' wife and two baby sons, and several other hometown friends who appeared in court as character witnesses, it was learned.

While on the witness stand, the young girl told the court that the reason she was not in school on the day of the alleged attack upon her was "I was ill."

Also she stated that the note, she admitted writing to the minister, which allegedly asserted "We can spend Sunday evening together" indicated only that she invited him over to her home to "pray for her sick aunt" who was identified as Mrs. Paralee Harmon.

When she took the witness stand Mrs. Harmon, the aunt, told the court that the girl (her niece) allegedly met her at the front door (on the evening of the alleged attack) complaining about she had been molested. Mrs. Harmon said she worked over at the Shades Valley School and had just arrived home.

During her testimony, she alleged that her niece's underclothing had been torn and was bloody; that her skirt was torn but later admitted that the skirt was ripped a few inches down a seam and not torn.

She also claimed that she saw blood on the floor near the Chesterfield (sofa)

Miss Shirley Mae Harvey, who said she is a house-keeper in Dr. Perkins' home at 1600 Omega St., said that the young girl allegedly called over to the house the third day following Rev. Saulsbury's arrival in Birmingham, last April 29. And after that, Miss Harvey added, the high school girl allegedly phoned and conversed with the young minister at least one time each day he was in town prior to the day of the alleged attack.

27e(2)

It also brought out in court that Rev. Saulsbury is a music and chorus instructor at Coleman College in Shreveport, La., and that he once sang with the famous Wings Over Jordan song ensemble.

Among the character witnesses from Shreveport were the Rev. Curtis Freeman Robinson and David Gray. All attempted to describe Rev. Saulsbury's "good character and veracity" in their community and state.

Among local witnesses testifying were the Rev. Calvin Perkins, a witness for the state, Rev. Melvin Lyas and Mt. Calvary Deacon Fletcher Jones.

Attorney Patton Murphy is defending Rev. Saulsbury. Deputy Solicitor C. E. (Bud) Watson is presecutor for the state.

8250

Soldier Found Guilty in Wac Assault Case

27e(2)

BALTIMORE, Jan. 12 (AP).—Corpl. James L. Farrar, 23, strapping big military policeman from Covington, Va., today was convicted of a sex attack on a Wac sergeant at Fort Meade, Md., September [illegible].

He is due for sentence next Tuesday with a recommendation by the jury that leniency be shown.

Conviction carries a maximum penalty of death or life imprisonment. It could be as little as a year and a day.

The 40-year-old Wac said she was introduced to Farrar at a noncommissioned officer club on the post. She agreed to let Farrar escort her back to her barracks, she acknowledged, and kissed him in the cab. She consented to get out of the cab before it got to the barracks and go the rest of the way with Farrar on a deserted path. She kissed him again, she said, and he threw her to the ground.

She described a 45-minute fight with Farrar. She was in the station hospital five days and underwent surgery.

Girl, 12, Tells Of Sex Attack By 2 Students

Post

Defendants Ousted From U. of Maryland; Trial Resumes Today

Two expelled University of Maryland physical education students went on trial in Upper Marlboro yesterday for an attempted sex assault on a 12-year-old Washington girl last April.

The defendant,s George T. Glorius, 24, of 2705 Nicholson st., Hyattsville, and Harold E. Skipper, 25, of 2357 Rhode Island ave. ne., are each charged with assault with intent to commit carnal knowledge. They are also charged with assault.

A jury of nine men and three women was selected late yesterday afternoon after an hour and a half, during which a total of 42 prospective jurors were challenged—25 by the defense and 17 by the States attorney.

27e(2)

The first prosecution witness, the 12-year-old alleged victim, testified she was taken to a tourist cabin in College Park, Md., April 28, 1950, where each man tried to assault her. Neither was successful, she said.

She stated she and a 12-year-old girl friend had a date with Glorius and Skipper on that day. They went to Green Meadows, Md., and the two couples went walking, she said, after which her friend asked to be taken home. The men took her friend home, she said, and then took her to the cabin.

Skipper and Glorius, both married, were expelled from the University of Maryland two days after their arrest.

The trial is to resume at 10 a. m. today.

Three Men Convicted Of Attack on Girl Face Sentence in La Plata

By a Star Staff Correspondent

LA PLATA, Md., May 24.—Three men convicted of raping a 15-year-old girl of Rison, a community near Indian Head, are to be sentenced today or tomorrow by Circuit Judge J. Dudley Digges.

They are Alvin Johnson, 16; Clinton Newman, 25, and Joseph Jackson, 21, all of Pomonkey area. The three and their victim are colored.

An all-male jury after deliberating for more than two hours, returned a guilty verdict at 2 a.m. yesterday with a recommendation against capital punishment.

The jury, at the same time, acquitted a fourth defendant, James Jackson, 21, a brother of Joseph Jackson. He was cleared after his attorney, C. Maurice Flinn, established an alibi for his client.

Three Plead Guilty.

All four men were indicted by the November grand jury for taking part in the mass attack September 22 near Marshalls Corner, a few miles from Marshall Hall.

In other cases yesterday, three Maryland colored men pleaded guilty to dredging oysters illegally in the Potomac River and two alleged Baltimore rum-runners were sent to prison for carrying concealed weapons.

27e(2)

The oyster dredgers were Walter Thompson, Worthy Waters and Roland Cooper, all of the Rock Point section.

Thompson, captain of a dredge craft, nabbed February 6 by Maryland Fisheries Commission patrol plane officers off Swann Point, just below the Potomac River bridge, was sent to jail for 30 days. His boat was confiscated. Sentence was suspended on Waters and Cooper.

Sentence of a Year.

Judge Charles C. Marbury ordered the Baltimoreans, Claude Shell, 25, and William P. Mumford, 30, both colored, to serve one year each in the Maryland House of Correction.

Witnesses testified in a trial before Judges Marbury and Digges that 12 gallons of moonshine whisky were found in a car occupied by the men when it was searched April 22 at White Plains on Route 301, near here.

Charles County authorities waived prosecution on the liquor charges and turned evidence over to Federal agents in Baltimore.

Deputy Sheriff Hampton Cox told the court both men had revolvers in their pockets when he took them into custody.

Jury Frees Two Men Accused by Girl, 12

Afro American

Date 5-5-51

WASHINGTON

It took a Prince Georges County (Md.) jury only 45 minutes to find two former University of Maryland students not guilty of attempting to attack a 13-year-old girl.

The jury's verdict freed George T. Glorius, 25, of the 2700 block of Nicholson St., Hyattsville, and Harold E. Skipper, 26, of the 2300 block of Rhode Island Ave., N. E., of charges of simple assault and assault with intent to have carnal knowledge.

27e(2)

During the two-day trial in county circuit court, Upper Marlboro, the girl sobbingly told the jury of nine men and three women that last April the two men took her to a tourist cabin on the Baltimore boulevard near Berwyn and commanded her to undress.

After getting into bed, the witness said, Skipper undressed and attempted to have relations with her but left after several minutes and sent in Glorius. She said he also attempted relations with her.

The witness said that preceding the tourist cabin incident she and another girl her age and the two men drove to Green Meadows, a subdivision near Hyattsville, where they indulged in "petting." They drove the other girl home before going to the cabin, she stated.

Both men admitted being in the cabin with the girl but said that they had not had relations with her. They contended that she told them she was 18, and after they realized her actual age they took her home immediately.

Both Glorius and Skipper were expelled from Maryland University shortly after their arrests last July

Skipper is married and following the jury's verdict his blonde wife met him in the corridor where they talked. The girl was not in the courtroom when the verdict was announced. Glorius' parents were jubilant when they heard the verdict.

If found guilty the two men faced 10-year jail terms.

27e(2) 1951 Michigan 8265

2 Confess Sex Slaying Of Coed, 18

27e(2)

Mich

EAST LANSING, Mich., Jan. 7 (U.P.)—Two farm youths broke down while undergoing separate lie detector tests and admitted the rape-slaying of an 18-year-old Western Michigan college coed, police announced Sunday night.

Constitution

Kalamazoo County Sheriff Otto K. Buder said Valorus Mattheis and Raymond Olson, 22-year-old residents of Vicksburgh, Mich., confessed they both criminally attacked Carolyn Drewn, but said each accused the other of strangling her.

Jan 8 51

The body of the popular college freshman was found in a snowdrift near the Kalamazoo, Mich., campus a week after she disappeared Nov. 26.

Atlanta Ga.

It was the second time that Mattheis had confessed the slaying. Saturday he told police at Kalamazoo that he and Olson killed Carolyn, but later repudiated his confession.

Olson was arrested in Detroit Saturday less than an hour after he had enlisted in the Marine Corps. He steadfastly denied any knowledge of the slaying until confronted with the lie detector. "Okay, we did it," he said, then told state troopers his story.

Both Olson and Mattheis admitted raping the girl in the back seat of Olson's battered old sedan. However, each said the other strangled her with her own scarf. They said they had never seen Carolyn before the night she was killed.

TWO GET LIFE TERM IN CO-ED'S RAPE-SLAYING

Kalamazoo, Mich., April 10 (AP)—Ray Lee Olson and Valorus Joe Mattheis today were sentenced to life imprisonment for the rape slaying of Carolyn Drown, 18, Western Michigan college freshman.

27e(2)

Journal

Turning down appeals of the two farm men for retrials, Circuit Judge Lucien Sweet specified they should serve at hard labor. Defense attorneys were expected to appeal the verdict to the state Supreme court.

Miss Drown was raped and strangled Nov. 26. Her body was found a week later. Olson and Mattheis, both 22, were arrested in January, confessed and then retracted their confessions. They were found guilty of first degree murder March 22.

Farm Helpers Convicted in Rape-Slaying

27e(2)

KALAMAZOO, Mich., March 22 (U.P.)—Two 22-year-old farm hands were found guilty of first degree murder Thursday night in the rape-slaying of a pretty 18-year-old Western Michigan College coed.

Constitution

Valorus (Bud) Mattheis and Rae Olson, both from Vicksburg Mich., were convicted by the jury which deliberated 35 minutes. They had been charged with strangling Carolyn Drown after raping her last Nov. 26.

Mar 23 51

Mattheis and Olson showed no emotion as jury foreman Harold D. Bates read the verdict. Defense attorneys said no decision had been reached on an appeal.

Circuit Judge Lucien Sweet set April 10 for sentencing.

The decision ended a confusing case in which at various times the defendants had accused one another, admitted helping kill her and finally repudiated all confessions. Then Mattheis accused a cousin, Robert Brubaker, 24, of Churubusco, Ind., of killing the girl.

Atlanta Ga.

Later, Mattheis retracted that statement and said "It's just another lie."

Prosecution Of White Man In Rape Case First Project Of Negro Protection Group

Daily News
Jackson, Miss
June
6-12-51

A state-wide organization for the aid and legal protection of Negro women in Mississippi is growing out of a local move to collect hospital funds for a 14-year-old Jackson Negro girl, who officers said was raped by a middle-aged white man.

The organization, to be known as the Mississippi Womanhood Defense committee, is seeking a $5,000 fund.

Its first project will be to push the prosecution of the white man, Hugh L. Morrow, Jackson carpenter, who is charged with raping the young Negro girl.

The Hinds County Grand Jury has already been called back into session to consider the charge against Morrow.

The organization is growing out of the Jackson Woman's Defense committee's program to collect money to pay for the hospital treatment of the young Negro girl, who has been in a critical condition; and to aid her family.

At the second mass meeting on the program held Monday night, the group split on the question of whether or not the organization should call into the Defense committee, the National Association for the Advancement of Colored People.

27e(2)

Meanwhile, the white man has confessed to the crime, officers said. He is being held in the Hinds County jail without bail.

The young Negro girl told officers she was picked up at her home on Banks street by a white man who told her that he and his wife wanted a baby sitter.

She told officers that instead of going home, the white man took her onto Wiggins road west of Jackson, where he attacked her.

Trial of White Man for Rape Of Negro Begins

Daily News
27e(2)
Mon 7-9-51

VICKSBURG — (AP) — The State of Mississippi indicated Monday it intends to seek the death penalty for Lonnie Bevell, 27-year-old white man indicted in the rape of a young Negro woman last New Year's Eve.

State and defense attorneys began selecting a 12-man jury from the special 112-member panel. District Attorney T. J. Lawrence asked each prospective juror:

"If the State of Mississippi proves this defendant guilty as charged and you believe that beyond a reasonable doubt, will you vote for a verdict of guilty even though the verdict may carry the death penalty?"

Lawrence also polled the entire panel to weed out any conscientious objectors to the death penalty.

The Warren county courtroom balcony was partially filled with Negro spectators as the trial opened, but most of the rest of the room was filled with court officials and members of the jury panel.

Bevell, who operates a small farm near Batesville, was indicted with John Boyd Stuard, also of Batesville.

The indictment charges the two men kidnaped the Negro woman from a group of New Year's Eve celebrants at a crossroads store near Eagle Lake, and took her to their nearby hunting and fishing camp where, the indictment said, they raped, beat and threatened to kill her and then released her into the woods.

The indictment charges them with rape, kidnaping and assault.

Sheriff J. H. Henderson said the woman, naked or half clothed, wandered into a Negro farmer's yard the next morning.

Stuard was scheduled to be tried during the March term of court but it was postponed when Henderson was taken ill. He has recovered from the operation that followed.

Bevell, dressed in a tan sport shirt and gray trousers, sat quietly with his wife and father in the courtroom Monday. He is being defended by John Prewitt of Vicksburg, and T. N. Gore, Sr., and T. N. Gore, Jr., of Batesville.

State Sen. John Culkin of Vicksburg has been employed as special counsel to assist Lawrence and County Attorney J. D. Thames in the prosecution.

Six of the 12 needed jurors were picked when Judge R. B. Anderson recessed court for lunch shortly after 1 p. m. Court attaches said they expected selection of the remaining six to take up the rest of the day.

Those picked Monday morning were E. O. Robinson, an employe of the Mississippi Power and Light Co., J. B. Gibson, Sr., a retired businessman, and Melvin McCaskill, G. O. Hanks, Jimmy Brogdon, and A. D. Ellison, all employes of the U. S. government here.

All six of those selected told Laurence they were not against the death penalty.

Mississippi Jury Indicts Morrow On Rape Charge

Birmingham, Ala.
World
27e(2)
June
6-9-51

JACKSON, Miss. — (SNS) — The Hinds County Grand Jury returned a bill of indictment against Hugh L. Morrow, the 48-year-old Mississippi white man accused of the rape of a 14-year-old Negro baby-sitter.

It was testified that the young girl was criminally assaulted by Morron on Wiggins Road an area west of Jackson. The attack was said to occur on Thursday, May 31.

A doctor's examination revealed that the girl was seriously injured by the assault. She told officers that she was picked up at her home by the alleged attacker who told her that he and his wife was going fishing. She said that he told her she was needed to sit with the children who would be left at home.

The girl's mother, it was revealed, allowed her to go with the man. However, according to the victim's testimony, instead of taking her to the home, the man took her on Wiggins Road near a lake.

She stated that he took the seat out of the car and carried out the assault despite her efforts to resist. When she started to cry and scream, Morrow, it was said, told her that his family which was on the lake would hear her and that he would get into trouble.

She testified that he returned her to her home and put her out, saying that he would throw her into the lake if she told.

Rape Victim Of Negro Plans $1,000,000 Damage Suit Against Communist Party

Daily News
Tues 7-3-51
27e(2)

A Laurel housewife, Mrs. Troy Hawkins, rape victim of the late Willie McGee, said here Monday she will file a $1,000,000 defamation of character suit against the Communist party in a New York federal court.

The woman said in a signed prepared statement:

"Ever since the demonstration by Communists in Jackson, along with their charges against me in a hearing before Governor Fielding L. Wright, and their ceaseless persecution of me in the Communist Daily worker, I have wondered how I could in some legal manner strike a blow at this vicious force.

"I believe I have found a way. I am going to enter a defamation of character suit against the Communist party and Mrs. Bella Abzug, New York attorney who represented the Civil Rights Congress here last July."

McGee, a 37-year-old Negro, was executed May 9 after a legal battle that spanned five and a half years. Four times his case was carried to the U. S. Supreme Court.

The Civil Rights Congress, tagged a Communist organization by the Justice Department, took the reins of McGee's defense.

The congress sent a nine-man delegation to Jackson in July, 1951, to ask Governor Wright to commute McGee's death sentence. Governor Wright also received entreaties from persons in Communist iron curtain countries and Red China asking for clemency for McGee.

Gov. Wright took no action in the case.

The suit will be filed at once her attorney's office announced. She is represented by Ross Barnett, Jackson lawyer, who is a candidate for governor.

The rape victim did not specify what the grounds for her suit would be.

Jackson

"I have endured endless mental torture from these persons," her statement continued. "They have defamed my character and honor. I feel they should be called on the carpet of southern justice for their lies and insults against me and all southern women.

"They began the fight. I am going to finish it."

Mrs. Abzug was retained by the Civil Rights Congress to engineer the court fight for McGee.

Barnett said Tuesday the Laurel white woman has hopes of "breaking the financial back" of the Communist party in her $1,000,000 defamation suit.

"We have a good case," he said. "We hope to put a stop to their vile propaganda attacks against decent people everywhere."

WOMAN WILL SUE N. Y. COMMUNISTS

27e(2)

M'Gee Victim Asks $1 Million for Defamation

(The Associated Press)

Jackson, Miss., July 3—Willie McGee's rape victim, a Laurel, Miss., housewife said Monday she intends to file a $1,000,000 defamation of character suit against the Communist party in New York federal court.

The suit will be filed at once, it was announced following a conference between the woman and her attorney, Ross Barnett of Jackson.

McGee, a 37-year-old Negro grocery employe, was executed May 9 after five and one-half years of legal warfare that four times carried his case to the Unite States supreme court.

World
7-4-51

The Civil Rights Congress, branded a Communist front organization by the justice department, spearheaded McGee's defense.

New Orleans

The congress sent a nine-man delegation here last July 27 to plead with Gov. Fielding L. Wright to commute McGee's death sentence. Wright heard the group, but took no action. Later Justice Hugo Black granted the Negro another stay of execution. The Laurel woman did not specify on what grounds her suit would be

Daily Worker Sued For Libel

27e(2)

NEW YORK, Aug. 1—(AP)—The white woman who accused Willie McGee of raping her Wednesday filed a $1,000,000 libel suit against the Communist newspaper, the Daily Worker.

Miss

She is Mrs. Willett Hawkins of 435 Magnolia Street, Laurel, Miss., mother of three children.

McGee, a Mississippi Negro, was executed last May 8 after he was convicted of raping Mrs. Hawkins. The Communist Party took a leading role in a vain attempt to prevent the execution.

Mrs. Hawkins charged in her Federal Court complaint that the Daily Worker defamed her character by portraying her as unchaste.

Advertiser

The complaint quoted a Daily Worker story of last May 9 as saying:

"Willie McGee was murdered because the white woman who had forced an illicit affair upon him for more than four years suddenly shouted 'rape' after the whole town discovered the story."

8-2-51

Montgomery Ala.

On the contrary, Mrs. Hawkins alleged that McGee "during the night time feloniously and unlawfully entered the plaintiff's home while she was in bed and asleep and forcibly raped her."

She called the Daily Worker's statement "false and malicious" and said they were circulated to more than 25,000 subscribers throughout the U. S.

As a result, Mrs. Hawkins charged, she received abusive mail, telegrams and phone calls from people who believed the Worker's story.

Mrs. Hawkins described herself as a married woman, living with her husband in a family of devoted church members who own their own home. Her reputation in Laurel is good, she added.

The gist of the original Worker article, Mrs. Hawkins said, was repeated by the newspaper on May 28 in an article written by George Lohr.

Named defendants in the suit are the Freedom of the Press, Inc., the New York firm which publishes the Daily Worker; Editor John Gates, now serving a prison term for conspiracy to teach and advocate violent overthrow of the U. S. government; and Lohr. They have not yet entered a reply to the suit.

based.

Issues Statement

In a signed, prepared statement, she said:

"Ever since the demonstration by Communists in Jackson, along with their charges against me in a hearing before Gov. Fielding L. Wright, and their ceaseless persecution of me in the Communist Daily Worker, I have wondered how I could in some legal manner strike a blow at this vicious force.

"I believe I have found a way. I am going to enter a defamation of character suit against the Communist party and Mrs. Bella Abzug, New York attorney who represented the Civil Rights Congress here last July.

"I have employed Ross Barnett as my legal counsel.

"I have endured endless mental torture from these persons. They have defamed my character and honor. I feel they should be called on the carpet of Southern justice for their lies and insults against me and all Southern women.

"They began the fight. I am going to finish it."

A member of Barnett's staff said the suit will be filed "at once" in New York federal court.

Womanhood Defense Group Expresses Confidence In DA To Prosecute Rape Charge

Daily News

6-21-51

The Negro Womanhood Defense Committee in a statement here Thursday expressed confidence in the district attorney to prosecute the assault charge against H. L. Morrow, 48-year-old white carpenter indicted for rape of a 14-year-old Negro girl.

The committee said it had contacted District Attorney Julian Alexander and found him to be "a man of courage for whom the committee has the respect and utmost confidence."

27e(2)

The Morrow case was continued until the November term of court here Wednesday because of a heavy docket.

Miss.

The committee also reported that it had raised $550 cash, which came from donations by two local white people and the remainder from local Negroes. The committee also reported pledges of $400. The money will be used to assist the girl victim, the committee said.

The statement indicated the committee has abandoned its proposal to employ special prosecution counsel in the case.

The girl told officers she was picked up at her home on Banks street by the white man on the pretense he wanted a baby sitter and was assaulted off Wiggins road, four miles west of the city.

She has been taken home from a local clinic and is reported to be recuperating rapidly, the committee said.

Jackson

Morrow in a statement to officers admitted the relationship but denied forcible rape.

District Attorney Alexander and County Prosecuting Attorney Hugh B. Gillespie in a statement Wednesday had called the Morrow case "one of the most serious" capital cases and promised prosecution to the full extent provided by law.

Greenville White Man Freed; Was Charged With Rape-Robbery Of Two Negro Women

Advocate

Admits Starting Act With One Victim

Date 8-25-51

CLARKSDALE, Miss., Aug. 18—(DSN) — E. L. Roach, a white man, who is a former resident of Clarksdale, but who now makes his home in Greenville, charged with the Rape-Robbery of two Negro women, and who testified that he started an intercourse with one of the women but "I realized what I was doing and quit," was cleared of all charges by a three man Justice of the Peace Court here Friday.

27e(2)

Jackson Miss

The three Justice of the Peace who heard the case were W. R. Ellis, A. O. Edwards, and S. J. Avery.

During the hearing of the testimoney, when the white man said that he did not have a gun, a middle-aged Negro woman, among a handful of spectators cried out loudly in protest and was ejected from the courtroom. She was later permitted to return.

The white man was arrested in Greenville Sunday after three Negro women reported to Clarksdale police that they had been picked up at Gunpoint by him in Clarksdale last Saturday night, carried to the woods and raped.

One of the women told Police that after she had been raped the white man took the money which she was carrying in her pocketbook.

27e(2)

According to reports, several other young Negro women reported to the Police that Roach had attempted to force them into his car Saturday night.

RAPE CASE PROBE CONTINUED BY FBI

Times-Picayune

(The Associated Press)

Memphis, Tenn., Oct. 20—The FBI said Saturday it would continue its investigation into the case of two white men accused of the statutory rape of a 12-year-old Negro girl near Courtland, Miss., last June.

27e(2)

10-21-51

A Panola county, Miss., grand jury returned no indictment against the two men, both Memphians, Monday.

But Don S. Hostetter, special agent in charge of the Memphis FBI office, said his investigation would be continued.

"Our office has made an investigation of the case," Hostetter asserted. "A portion of this investigation was held in abeyance in view of the state prosecution. The remainder of the investigation will now be completed and made available to the district attorney."

The accused men, Augusta Woody McGarrh, 2[illegible] and Glenn McCain, 29, were charged with taking the girl from Memphis into Mississippi and assaulting her in a pasture last June 7.

Sheriff E. B. Wilson, Batesville, said the grand jury did not return an indictment in the case after being presented with an affidavit from the child's mother. He quoted the mother as saying her daughter was not taken across the state line against her wishes and that the child was not attacked.

In Rape Cases

Negro Gets Chair, White Man Freed

VICKSBURG, Miss.—The State of Mississippi, last week, for the first time in its history, went through the motions of asking the death penalty for a white man, Lonnie Bevell, 27, charged with the New Year's Eve rape of a 31-year-old Negro woman. A jury of twelve white farmers, businessmen and laborers, however, acquitted him Thursday.

CHARLOTTESVILLE, Va.—Albert William Jackson, 24, Negro, convicted of raping a 50-year-old white woman here the night of May 5, has been sentenced to die in Virginia's electric chair Se

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White Man Cleared Of Mississippi Rape

State Asked for Death on Charge by Negro Woman

VICKSBURG, Miss., July 12 (AP).—A jury of twelve white men today acquitted a twenty-seven-year-old white farmer charged with raping a thirty-one-year-old unmarried Negro woman. The state demanded death for Lonnie Bevell, who was charged with raping Cornealous Slater at a deer-hunting camp near here on New Year's Eve.

Mississippi officials said it was the first time in their memory that a white man's life was asked for raping a Negro woman. The jury, a cross-secton of farmers, business men and laborers, retired to deliberate at 3:52 p. m. yesterday and returned the verdict shortly after court convened at 9:30 a. m. today.

27e(3)

The Negro woman accused Bevell from the witness stand as being one of two white men who abducted her from a country store yard New Year's Eve and later raped and beat her into unconsciousness. Bevell said he attempted to take the woman to the sheriff's office after she called him "a white S. O. B." in front of a group of Negroes congregated at the country store.

SHERIFF JAILS WHITE SUSPECT IN ASSAULT ON TEEN-AGE NEGRO GIRL

A 14-year-old Negro girl was criminally assaulted by a middle-aged white man on Wiggins road, west of Jackson, early Thursday, Hinds county Sheriff Albert Jones announced here.

A suspect has been lodged in jail here and was picked out of a lineup of seven men by the victim and three other persons, Sheriff Jones said.

Officers were scheduled to question Hugh L. Morrow, 48-year-old carpenter, in connection with the case.

Morrow resides at [illegible] Langley avenue. He was arrested by Deputies J. T. Naugher and Bob Thomas at his home after officers traced an automobile tag number given them by the victim.

The victim told officers that she was picked up at her home on Banks street by a white man who told her that he and his wife were going fishing and wanted a baby sitter. She said her mother gave consent for her to go with him.

She told officers that instead of going home the white man took her onto Wiggins road. She said he stopped the car near a lake and took the seat out of the car, placing her on the seat. She said she fought vainly with her assailant.

She said that when she started to crying and screaming, he told her that his family was on the lake and it would get her in trouble.

She said he brought her back near her home and put her out with a warning that he would "throw her in the lake" if she told.

Officers said Morrow has a black 1946 Chevrolet coupe. He is a former resident of Walnut Grove in Leake county.

The man did not go to work Thursday, officers said his wife told them.

The victim and three other persons picked Morrow out of a lineup of seven men, some who were wearing hats and others who were wearing caps, similar to a cap he had on.

The lineup included several jail inmates who are awaiting trial on other charges.

Officers said when they came to his home about 11:30 a. m. they found stains on the seat of the car similar to blood stains. They said his shirt was also stained with what appeared to be blood.

The victim was taken to Dr. Reynolds at Clinton, who told officers that the girl definitely had been raped. He said, according to officers, that there was blood on her clothing and legs, and that several stitches were required.

Officers said there was evidence that someone had attempted to wash off the seat of the car. The man's wife told them, officers said, that he had left home about 7 a. m. and had returned shortly after 10 a. m. Deputies believe the criminal assault occurred around 8:30 a. m.

An investigation into the case is continuing. Deputy Sheriff J. C. Kelly is assisting in the probe. City detectives assisted county officers in the investigation.

Morrow had made no statement to officers early Thursday afternoon.

It was not known whether the grand jury would be called back into session to consider the case.

MAN ACQUITTED OF RAPE CHARGE

Times-Picayune

Verdict Frees Companion of Trial for Attack

7-13-51

(The Associated Press)

Vicksburg, Miss., July 12 — A 27-year-old white farmer was acquitted Thursday on charges of raping a 31-year-old unmarried Negro woman.

27e(2)

The defendant, Lonnie Bevell, showed no emotion when the verdict of the 12 white farmers, businessmen and laborers was read.

New Orleans

Bevell's case was the first in the memory of state officials where the state of Mississippi asked for the death penalty for a white man charged with raping a Negro woman.

The Batesville, Miss., farmer and another white man, John Stuard, also of Batesville, were charged with raping and kidnaping the woman at a deer-hunting camp near here last New Year's Eve.

Both men will be tried jointly July 18 on the kidnaping charges. Stuard will not be prosecuted on the charge of rape, the district attorney's office said Thursday, since the jury acquitted Bevell.

During the four-day trial, both Bevell and the Negro woman testified giving vastly different versions of the incident.

The woman said she was abducted by Stuard and Bevell from a country store yard and taken to a remote wooded spot where the white men raped and beat her.

She said they threatened to throw her in the Mississippi river but later knocked her unconscious when she dropped to her knees to pray.

Bevell told the jury he struck the woman for calling him a "white ——" in front of a group of Negroes at the store.

He said he told her to come with him to the sheriff's office and that she voluntarily got into his truck. When the vehicle slowed down to cross a river levee, he continued, the woman leaped from the truck and ran away.

He said after she jumped from the truck, "I did not strike her, beat her or have intercourse with her."

Courtroom observers said Bevell sat slumped over a table when the verdict was read. His outward calm was not broken. Nearby, his wife, father and father-in-law took the verdict with equal nonchalance.

Police Make Second Arrest In Attack On Negro Girl

By The International News Service

MEMPHIS, Tenn.— Memphis police early Thursday arrested the second brother-in-law charged with allegedly kidnapping and raping a 12-year-old Negro girl near Cortland, Miss.

Daily World

Police Chief J. C. McDonald said William Glen McCain, 29, was arrested at 2 a. m. Thursday.

11-16-51

The other brother-in-law, Augusto Woody McGrath, 28, was arrested late Wednesday. They are being held on a $10,000 bond.

Both men were indicted by a federal grand jury in Memphis Wednesday. District Attorney John Brown said news of the indictments was withheld pending their arrests.

They are accused of attacking the girl last June 7 after taking her from her Memphis home for baby sitting purposes.

A Panola County, Miss., Grand Jury took no action last month when key witnesses failed to appear.

2 White Men Indicted In Rape of Negro Girl, 12

Press

MEMPHIS, Nov. 16.—A Federal grand jury has indicted two white brothers-in-law accused of raping a 12-year-old Negro girl hired as a baby sitter.

11-16-51

United States District Attorney John Brown said Augusta Woody McGarrh, 28, and William Glenn [redacted] both of Memphis, were ...h kidnaping and violating the Mann Act. They are in ... told officers the men ... up at her home here ... baby sit for McGarrh. ...he said, they drove her ...e near Courtland, Miss., ... her.

...deral indictments came ... Panola County (Miss.) ...y passed the case on the ...hat nobody appeared to ... It's still pending on ...y books.

COLUMBUS — (Special) — A former Mississippi State College student, ... Coopwood, young resident of the Mt. Pleasant community, has been indicted by the Lowndes county grand jury on a charge of assaulting a teen-age Columbus white girl last spring. The alleged attack occurred last spring a few miles west of Columbus.

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2 MEN INDICTED ON RAPE CHARGE

Federal Jury Acts After Panola Passes Case

Times Picayune

(The Associated Press)

Memphis, Nov. 15—Two men accused of raping a 12-year-old Negro girl hired as a baby sitter have been indicted by a federal grand jury here.

Augusta Woody McGarrh, 28, was arrested Wednesday. The United States marshal was seeking William Glenn McCain, 29. Both men live here. They were charged with kidnaping and violating the Mann act.

11-16-51

US District Attorney John Brown said the indictment was handed down by the jury Tuesday. The action was not revealed until McGarrh's arrest.

McCain and McGarrh, brothers-in-law, are accused of having taken the girl from her home here last June 7.

New Orleans

She was to take care of McGarrh's children. Instead, the government said, the men drove her across the Tennessee state line to a pasture near Courtland, Miss., and raped her.

The federal indictment came after the Panola, county, Miss., grand jury passed the case. County officials said the girl's mother and a Memphis physician failed to answer a summons to testify.

The girl, unidentified, told officers she escaped from the, men when they fell to arguing and hid in the high weeds of the pasture until they left.

Later, she said, she walked along the highway toward Batesville, Miss., until she flagged a taxicab driver, who gave her a lift to town and bus fare to Memphis.

Brown said bond for McGarrh was set at $10,000. He said bond would be the same in both cases. The men were arraigned Thursday. No trail date has been set.

8256

Fix Willie McGee Execution March 20–Six Weeks Hence

27e(2)

Execution date for Willie McGee, convicted Laurel Negro rapist, was set for March 20, by the State Supreme court Monday.

This date falls six weeks from Tuesday, February 6.

The court's practice has been to set an execution date not less than four, nor more than eight weeks, from the date of acting on a motion for a new date.

Civil Rights Congress attorneys for McGee Saturday appealed for the maximum time, stating they needed it in order to prepare the case for Federal court.

McGee's new date is the sixth fixed for him since the occurrence of the crime in November, 1945, five years and three months ago. Three of the dates were set by lower courts, three by the State Supreme court.

McGee was convicted of raping a white Laurel housewife in November, 1945.

His first two convictions were overturned by the State Supreme court. His third was upheld and the United States Supreme court twice refused to review the case although stays of execution were issued twice to allow the tribunal to study appeal briefs.

Associate Justice Hall, in a specially concurring opinion, stated that in his opinion the execution date should be set for four weeks hence.

"Delays and dilatory tactics have kept appellant alive far beyond his just deserts," Hall wrote.

"In decisions on original appeals from death sentences, the court usually fixes the date of execution around six weeks from date of the decision so as to allow time for filing and consideration of a suggestion of error; that is the sole reason for such a custom, but in cases upon remand from the Supreme Court of the United States there is no reason for such a custom.

"Such was my opinion when on June 12, 1950 this court fixed appellant's execution for July 27, 1950, but I did not at that time put my views in writing."

Hall pointed out that McGee's counsel Saturday assigned as their only reason for requesting the maximum time in setting the execution date was that they wished to seek a writ of habeas corpus in the Federal court.

They alleged they would base their petition to the Federal court on the contention McGee had been convicted on perjured testimony which the prosecuting attorney deliberately and knowingly submitted to the jury.

Hall pointed out that this same question was raised in the petition for a writ of error coram nobis, which was presented to the State Supreme court on July 24, 1950—three days before McGee's scheduled execution.

The attorneys, Hall points out, were then requested to offer some proof in support of the charge and "produced not one word of evidence."

"If they have such proof, they do not need additional time in which to prepare their case for the Federal Court," Hall wrote.

He points out that the court in 1937, in setting the execution date for a white man convicted of the murder of a Negro, fixed the date four weeks and two days after acting on the case.

New Trial Sought For Willie McGee

Advertiser

LAUREL, MISS., Feb. 28—(AP)—A petition seeking a fourth trial for Willie McGee, convicted three times for rape, will be filed here Thursday, his attorney said Wednesday night.

3-1-51

The 37-year-old Negro is scheduled to die in the electric chair here March 20 for attacking a Laurel white housewife in 1945.

McGee's attorney, John M. Coe, of Pensacola, Fla., conferred briefly with Circuit Judge F. Burkitt Collins and District Attorney Paul G. Swartzfager before leaving for Jackson, Miss.

Coe said McGee will sign the petition at Jackson Thursday where he is being held awaiting his execution.

Coe said he will file petition for a writ of error coran nobis, a rarely used legal maneuver.

(Such a writ sets forth that certain factors existed but were not known to the court during the trial and that if these factors had been known the case would have had a different outcome.)

The Willie McGee Case

Whether or not Willie McGee eventually is put to death or gains his freedom, the temporary stay of execution granted by the U. S. Supreme Court is most expedient. If there is any doubt at all about the guilt of McGee (and there seems to be plenty), he certainly should not be executed until all the facts have been exposed and it is determined beyond a reasonable doubt that he deserves the extreme penalty. Even if he is found guilty no harm can come from delaying the execution in order to be certain.

27e(2)

On the other hand, if McGee is found to be the victim of a "frame-up" as charged by his defenders, then what a tragic sin it would be to put him to death before getting at the truth.

3-23-51

At this point, we do not know whether or not McGee is guilty. The charge of "rape" has been made falsely against so many southern Negro men that we are inclined to believe the story told by McGee's wife last week. It has the ring of truth. Yet we do wonder why she waited so long to give the facts as she knew them to be. With the case having been in and out of the courts for the last five years, it seems that at sometime or other, she would have found opportunity to have revealed the new evidence.

But be that as it may, the story she told is the old, old one of a southern white woman yelling "rape" when as a matter of fact she had voluntarily and willingly carried on a love tryst with the Negro she accuses.

Willie McGee should be given a fair and impartial trial somewhere up north where the proceedings would be free of the prejudice and preconceived ideas of guilt that prevail in the section of the country where he has been tried and found guilty three times. If the Supreme Court sees fit to reverse McGee's death sentence, we wish that it could stipulate that the new trial not be held in the same Mississippi court which has heard the case before.

The expense of bringing witnesses out of the South would be justified if it resulted in determining the truth.

The woman who accuses McGee of raping her should be questioned so carefully that it would not be possible for her to tell anything except the truth. The charges against the Scottsboro boys melted away when the two white women involved finally admitted that they lied on the boys.

The Willie McGee case is worthy of the attention of all those in this country who are interested in seeing that justice is done.

Release Defends Action of Women Asking McGee Aid

A visit to Jackson by a reported 150 persons from all over the nation who are calling on local housewives to create sympathy for Willie McGee brought prompt action Saturday from City Hall.

Mayor Allen Thompson said, "It is my responsibility as mayor to see that peace and order is maintained in Jackson. I understand a large number of agitators are in Jackson from New York, Chicago and California, purporting to stir up trouble in connection with Willie McGee.

27e(2)

"This matter is now in the hands of the courts and is a matter strictly for the courts to handle. The individual citizen has nothing whatever to do with it."

The mayor said that when strangers came to their door, householders should get a statement of business from them before letting them in.

3-17-51

He suggested that homeowners should ask them away and if they persisted in staying the Jackson police department is willing to cooperate. The action came after a meeting in City Hall Saturday morning attended by the city prosecuting attorney, city attorney, police officials and others.

A type-written release, bearing the name Mrs. Grace Clark, describing her as representing a group of women crusading in the state for the life of Willie McGee, thrice convicted Laurel Negro rapist, wrote the Daily News to explain "our work here because of certain stories in the Jackson press."

The release referred to an article in the "Sunset" edition of the Daily News Friday which described the visit of two crusaders to the home of a Jackson attorney.

The Daily News article told of the indignant reception three local women gave the crusaders, who presented a letter purportedly written by Willie McGee's wife.

Mrs. Clark, however, said she wished to thank the many people of Jackson for "their gracious reception, the keen interest they have shown, and their offers of help in the Willie McGee case."

"First of all, it should be stated our number was considerably exaggerated in the paper. We are a group of women from various parts of the country: North Carolina, Mississippi, Tennessee and Louisiana, as well as from Northern states: Illinois, Wisconsin, California, New York," the release said.

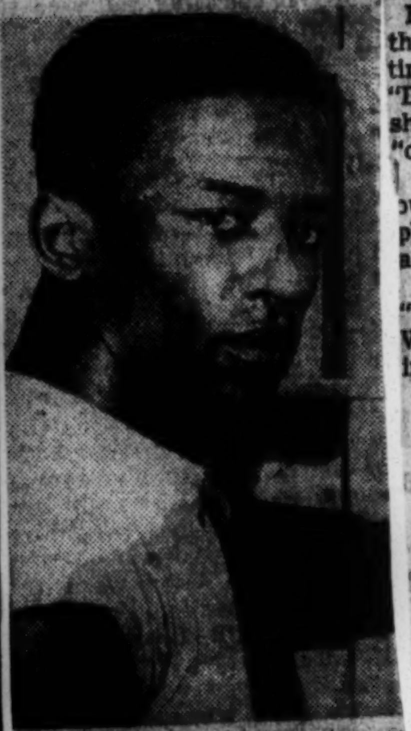
"As white women," it continued, "we have been deeply resentful of the irresponsible use of the "rape" charge to take the lives of Negro men. The injustice of the double standard, whereby in 45 years no white man has been executed for the crime of rape while Negroes always draw the death penalty is causing concern throughout the country

"The tremendous impact that this case has had, not only on our nation, but upon the whole world, cannot be overestimated. It has made us keenly aware of the responsibility that all citizens have in assuring the functioning of democracy."

Laud Justice Black for Staying Execution; Robeson Sings Again

Willie McGee Saved Again

WASHINGTON—Willie McGee's life was saved again last Thursday when Justice Hugo Black of the Supreme Court granted him a stay of execution. He was scheduled to die in Laurel, Miss., on March 20.



WILLIE McGEE
. . . escapes death again

Severe pressure was put on Justice Black Thursday morning when 2,000 to 2,500 persons, led by Paul Robeson and the Civil Rights Congress, threatened to picket the Supreme Court in efforts to get a stay for McGee.

ALL POLICE ALERTED

This move put the entire Washington Metropolitan Police Department on the alert and days off as well as vacations were canceled for the entire force and the riot squad stood by at headquarters in case of trouble.

Justice Black resented the pressure, denounced it as "a very bad practice" and specified that the stay was granted pending final action by the full Supreme Court on a new petition.

This petition, said Justice Black, asking for a review of the case, must be filed on or before March 20, the date McGee was to be executed.

The American Peace Crusade sponsored a large mass meeting Wednesday night, at which the crowd chanted "Robeson is a leader, he shall not be moved."

ROBESON SINGS

Robeson sang songs and brought the crowd to its feet several times with a tirade against "Dixiecrats, warmongers, and big shots." He called Washington a "cesspool of segregation."

An appeal for funds brought out a shower of money and pledges, but the total was not announced.

J. S. Zucker, secretary of the "Washington Mobilization to Free Willie McGee," issued the following statement Friday:

"This fine action of Justice Black is not only a tribute to the Supreme Court judge, but an even greater tribute to the millions of people in America and throughout the world who have voiced their protest of the planned legal-lynching of this innocent Mississippi Negro, and made it possible for Justice Black to render this decision.

"But Willie McGee's life is still endangered. It now becomes necessary for the people to convince President Truman to act under the powers invested in him by the Federal Civil Rights Law and instruct his Attorney General to intervene to free Willie McGee.

"Only this way can Truman show he is not a party to Southern lynch-justice. Thousands of such letters of protest from the people can free Willie McGee just as they have today saved his life."

Willie McGee, 36, is the father of four children, the eldest 11 years old. At the time of his arrest, he was working as a truck driver.

THE McGEE STORY

A white woman, Mrs. Troy Hawkins, alleges that at 4 A. M., Nov. 3, 1945, she was assaulted as she lay in bed with a sick child asleep at her side. She did not cry out, she claimed, so as not to awaken her children and husband, asleep in an adjoining room. The alleged rape took place in total darkness. Mrs. Hawkins identified her attacker only as having "kinky hair" and wearing a T-shirt. There were no signs of a struggle.

Willie McGee was seized thirty miles from the scene of the rape that same day. He was held incommunicado for thirty-two days, during which police elicited a "confession" which McGee later repudiated, explaining that he signed it in order to remain alive. Speechless and helpless, he was carried into court after his thirty-two day incommunicado period and immediately went on trial.

McGee was tried three times and this is his fourth stay of execution.

NEW EVIDENCE

Hitherto unrevealed new evidence is being presented by Civil Rights Congress attorneys in the coming legal appeals. Lawyers say they will present data to substantiate charges that:

1. Mrs. Hawkins and McGee maintained a relationship for several years prior to the alleged rape;
2. Mrs. Hawkins refused to release McGee from the relationship and stymied his attempts to free himself by threatening to cry rape and bring down a lynch mob on McGee's head;
3. The relationship was well known in the community, thus moving white supremacists to press feverishly for McGee's death;
4. Mrs. Hawkins lied when she claimed never to have seen McGee before the alleged rape.

MRS. WILLIE McGEE
. . . she's still praying

This evidence has not been revealed before, even to CRC, because it is said McGee's lawyer advised him that if the truth were told, McGee would be lynched immediately.

3-24-51

WILLIE McGEE
. . . May death looms

• • •

May 8 Execution Slated for McGee

JACKSON, Miss.—The State Supreme Court has set May 8 as the date for the execution of Willie McGee, convicted of attacking a white woman six years ago and he will die unless new legal moves are made for clemency.

Already there have been four such moves since his conviction. The latest [illegible] McGee was turned down by the United States Supreme Court two weeks ago.

4-21-51

The Case of Willie McGee

To THE EDITOR OF THE NEW YORK TIMES:

The Supreme Court's notable opinion, issued April 10, links freedom of the press and fair trial in a way which brings the connection home again to us all.

The sense of courage and possibility which this statement gives at once to everyone comes at a moment when the issues of La Prensa are vivid, too, thanks to the first-rate piece of work THE TIMES has done on this story. I wonder whether these are not two parts of a work which might now be ready for its next step?

On the same page, near Justice Jackson's opinion, THE TIMES carried the announcement of the new date set for the execution of Willie McGee. The Mississippi Supreme Court says he shall die on May 8. There seems to be more than a presumption of innocence on the part of Willie McGee. Events seem to have crowded him to the death sentence in as wild a storm as that around the rape case of Lake County. The press, the place—both have played enormous parts here. The press can move into its brilliant function. It can move to save all innocence, wherever it is, whatever the definition of guilt that has been forced on it. I hope that THE TIMES and its readers will look hard at the case of Willie McGee.

MURIEL RUKEYSER.

New York, April 16, 1951.

4-14-51

'Save Your Money', Wright Tells Those Sending Wires Asking Pardon For Rapist

"Save your money," Governor Wright Tuesday advised all persons planning to send him telegrams seeking clemency for Willie McGee, Laurel negro rapist.

27e(2)

"I'm not going to interfere in the Willie McGee case, so they can just save the money they plan to spend on telegrams," Governor Wright said.

Daily News

His statement followed the receipt Monday and Tuesday of seven telegrams sent as the result of the U. S. Supreme Court's action in refusing the third appeal of the Negro rapist.

27e(2)

Last summer preceding the scheduled execution of McGee which never took place Governor Wright received some 20,000 letters and telegrams from all over the world seeking a stay of execution, a pardon, or commutation for the Negro.

The deluge of appeals was sponsored by the Civil Rights Congress, Communist-front organization which is financing McGee's appeals.

McGee has been three times convicted by lower courts of the rape of a Laurel housewife. His first two convictions were overturned on technicalities by the State Supreme Court, and the U. S. Supreme court has refused for the third time to review the case.

The last refusal was on McGee's appeal for a writ of certiorrari.

Fourteen hours before his scheduled execution last summer McGee obtained a stay from Jsutice of the U. S. Supreme Court. Earlier Judge Harvey McGehee, chief justive of the Mississippi State Supreme court, had refused to grant a fourth trial, and Governor Wright had declined to interfere in the case.

Hold Two Men On Rape Count

27e(2)

VICKSBURG, Miss.—Two North Mississippi men were held in jail last week on open charges following a New Year's Day spree at a remote hunting camp, where they are alleged to have raped a 23-year-old woman.

The accused rapists were identified as Y. B. Stuart, 31, of Crowder, and Lonnie Bevell, of Batesville, both white.

The men were said by witnesses to have driven their truck to a store in the northwest part of Warren county, told the young woman they were officers and forced her at pistol point to accompany them.

1-13-51

She was found Monday morning, dazed, bleeding, suffering from exposure and almost nude.

White Miss. Pair Held in Attack

27e(2)

Courier

VICKSBURG, Miss. — Two North Mississippi white men were held in jail here last week on open charges following a New Year's Day spree at a remote hunting camp, where they are alleged to have rape a 23-year-old Negro girl.

The accused were identified as Y. B. Stuart, 31, of Crowder, and Lonnie Bevell of Batesville.

The men were said by witnesses to have driven their truck to a store in the northwest part of Warren County (Vicksburg) told the young woman they were officers and forced her at pistol point to accompany them.

Sat. 1-13-51

She was found Monday morning, dazed, bleeding and suffering from exposure, almost nude. The white men had stripped her clothing from her body.

Willie McGee, Negro Rapist, Loses 3rd Appeal To U. S. Supreme Court

Mon. 1-15-51

WASHINGTON —(AP)— Willie McGee, Mississippi Negro whose edath sentence figured in Chinese Communist propaganda, Monday lost another plea for supreme court help.

27e(2)

The high court for the third time

been convicted three times since the 1945 rape, and three times sentenced to the electric chair.

Governor Fielding Wright, of Mississippi, said he has received more than 1,200 letters and telegrams from countries all over the world, including Communist China and Czechoslovakia, demanding that he free McGee.

The Civil Rights Congress of New York sent a delegation to Wright to demand executive clemency for the 37-year-old Negro. The governor took no action in the petition.

"The Civil Rights Congress," said Governor Wright, "cares onthing for McGee. It has a planned program to destroy the judicial system of every state."

The Congress has been branded a Communist group by the Justice Department.

Wright said the Communists were in hopes that the people of Mississippi would lynch McGee and hold the courts of Mississippi up to the ridicule of the world."

McGee's latest appeal said his attorneys had been threatened and intimidated at his third trial. It also asserted McGee was convicted on false testimony.

Mississippi counsel replied that McGee's lawyers had offered no evidence to support their allegations.

The Negro was sentenced to go to the electric chair last July 27, but Justice Burton of the supreme court granted him a last-minute stay. The stay was to remain in effect until final supreme court action on McGee's latest appeal.

McGee's first two convictions were overturned on technicalities by the Mississippi supreme court. The U. S. supreme court's previous refusals to consider McGee's appeal came on October 10, 1949 and May 15, 1950.

Willie McGee heard without comment or show of emotion today that the United States Supreme Court again had refused to review his conviction and death sentence for raping a white woman. 1-15-51

"He just didn't say anything," reported Hinds County Jailer J. C. Landrum. "It didn't seem to affect him, either."

27e(2)

Official comment here was lacking on the high court's ruling.

McGee Dies March 20th

Sat. 2-17-51

JACKSON, Miss.—(ANP)— A new execution date, the [illegible] since 1945, was set for Willie McGee of Laurel, who was convicted in Jones County in November, 1945, for the alleged rape of a middle-aged white woman.

The new date is March 20, and was obtained under a petition by Atty. Gen. J. P. Coleman from the State Supreme Court last week. Coleman submitted the petition following the third refusal of the U. S. Supreme Court to intervene in the case.

27e(2)

Five times in the last five years, McGee won a stay of execution through national protests. Each time, a new execution date was set.

NEGRO LOSES APPEAL

Dallas

Federal Court Refuses Review in Mississippi Rape Case

JACKSONVILLE, Fla., March 13 (UP)—Willie McGee, Mississippi Negro sentenced to die next Tuesday for raping a white woman, lost today what apparently was the last round of his five-year fight for life.

27e(2)

The United States Court of Appeals refused to review the conviction, which already had been considered three times by the Mississippi Supreme Court and twice by the United States Supreme Court.

Wed. 3-14-51

Gov. Fielding Wright of Mississippi said he would not grant a clemency hearing.

McGee's attorneys sought appeal on grounds that he was convicted on prejured testimony and that only Negroes had been executed for rape in Mississippi.

M'GEE LAWYERS PETITION COURT

~~Times-Picayune~~

New Trial or Freedom Is Asked for Mississippian

Wed. 3-21-51

(The Associated Press)

Washington, March 20—Attorneys for Willie McGee, Mississippi man sentenced to death for rape, Tuesday asked the supreme court to free him or order a new trial in federal court.

New Orleans

McGee was scheduled to die in the electric chair Tuesday. Justice Hugo Black of the supreme court last Thursday granted him a stay. The stay is effective until final action on the request filed Tuesday.

27E(2)

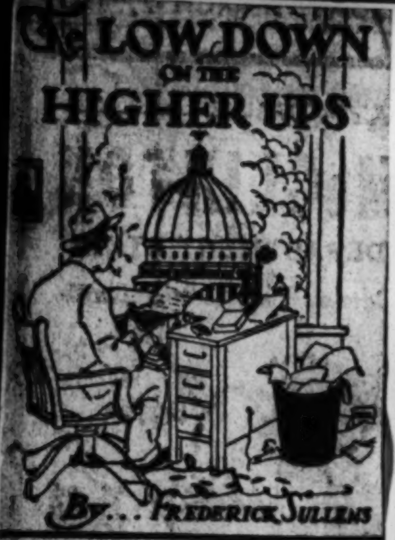
A 20-page petition filed by McGee's attorneys said the true facts of the case had never been tried.

The petition said McGee and the woman's husband worked together for years and that McGee worked in the home of the white couple. The petition reiterated the charge that McGee was convicted on perjured testimony and said he was given the death sentence solely because he is a Negro.

The petition was signed by five attorneys, including Vito Marcantonio, former representative from New York. Attorney General J. P. Coleman of Mississippi is expected to file an answering brief later.

McGee's counsel asked the high court to free him on an original writ of habeas corpus, a procedure which has not been used by the justices in the last half-century. In the alternative, the attorneys said McGee should have a new trial in United States district court in Mississippi.

McGee has been convicted three times in Mississippi state courts. The supreme court three times in the last two years has refused to review his conviction. The high tribunal may announce next Monday its decision on the new request.



In her argument before Judge Sidney Mize seeking a writ of habeas corpus in behalf of Willie McGee, condemned rapist, Mrs. Anna Abzug, Communist-paid woman lawyer declared that "there has been a systematic denial of equal rights to Negroes in this state." If Mrs. Abzug ever again appears in Mississippi either as a lawyer or as an individual it will be one time too often. She's the sort of person to whose company we care less than nothing at all.

Attorneys for Willie McGee based their application for habeas corpus on the same old false pleas that have been used for five years to defeat justice in this case, perjured evidence and race prejudice against the defendant. Both charges were false and all judges before whom Communist-paid "lawyers" appeared [illegible] knew [illegible]. Too bad the court don't have authority to send some lawyers to the electric chair along with their clients.

2-7-E (2)

National Pilgrimage For McGhee

Argus Fri. 3-16-51
St. Louis, Mo.

CONVERGING ON ST. LOUIS this week was this committee, a part of a national delegation of persons en route to Mississippi on behalf of the condemned Willie McGhee. It was the feeling of this group that an all-white group of men and women might have some influence on the officials of Mississippi. From left to right, seated: Grace Clark, Chicago; Rev. J. Spencer Kennard, Jr., New York City; Billie Wachter, Albana, Calif.; Lena Hilty, Milwaukee, Wis., and formerly of Laurel, Miss., McGhee's hometown; Standing: Louise Hopson, Albana, Calif.; Decca Truehaft, Oakland; Evelyn Frieden, Oakland, Cal.; and Tess Davidson, Chicago—Argus photo by Franklin.

Willie McGee Granted Stay of Execution by High Court

Full Body to View Petition of Defense Attorneys

2-7-E (2)

(The Associated Press)

Washington, March 15—Justice Hugo Black of the supreme court Thursday granted a stay of execution of Willie McGee, Mississippi Negro who was scheduled to die Tuesday for the rape of a white woman.

Fri. 3-16-51

Black specified that the stay was granted pending final action by the full supreme court on a new petition to be filed by attorneys for McGee, asking a review of his case.

The justice directed that the petition must be filed on or before March 20—the day McGee was to be executed.

The supreme court's next formal session will be held March 26. The court could announce on that day whether it would grant or deny a review of McGee's case.

Pressure Telegrams

Arguments of counsel on the matter of a stay, heard earlier Thursday in the justice's chambers, were marked by an outburst from Black against the practice of sending telegrams to judges.

After attorneys for McGee, and for the state of Mississippi, had presented their arguments, Black plumped on his desk a five-inch stack of telegrams and a few letters.

"There seems to be growing up a practice of sending telegrams to judges in order to have cases decided by pressure," he declared.

"Counsel in this case has assured me that they were not responsible for these telegrams.

"I am not compelled to read these and have not and will not. It is a very bad practice. There is no defense for it except ignorance on the part of the people who did it. This seems to be the appropriate time to mention it.

Not to be Published

The justice's face flushed red as he concluded:

"As far as I am concerned, I don't want them. I hope you realize that courts of the US are not the kind of instruments of justice that can be influenced by such pressures."

An aid of Justice Black said most of the telegrams he received were from New York and a few were from the West coast. The aid said they would not be made public.

Justice Burton sat with Black Thursday.

McGee's case has been before the full supreme court three times previously and each time he has been refused a review. Gov. Fielding Wright of Mississippi recently said that he had received hundreds of letters and telegrams in the case from sources he described as Communistic.

District Decision

Vito Marcantonio, former American labor party representative in Congress from New York city, was among the five attorneys representing McGee Thursday. They argued that the US district court in Mississippi had erroneously denied McGee a writ of habeas corpus.

They said the district court should have permitted the taking of testimony, cross examination of witnesses and the appearance of McGee himself during its consideration of McGee's application for a writ.

Attorney General J. P. Coleman of Mississippi argued that the district court has acted properly on the basis of full information.

A petition on behalf of McGee was offered to Black and Burton by the National Lawyers Guild.

McGee's principal contentions now are that he was convicted on perjured testimony and that Mississippi has never imposed the death sentence on a white man for rape, whereas Negroes have been executed for that crime.

No Comment in State on Decision of Court

(The Associated Press)

Jackson, Miss., March 15—Mississippi officials refused comment Thursday on Justice Hugo Black's action granting a third stay of execution for Willie McGee.

Chief Justice Harvey McGehee of the state supreme court said "no comment" when informed of Black's action.

Gov. Fielding L. Wright could not be reached. Mrs. Wright's brother died suddenly in a Vicksburg hospital Thursday and the chief executive accompanied her to their home in Rolling Fork.

He left town before Black's action was announced.

Attorney general J. P. Coleman is in aWshington where he appeared before Justice Black to argue against the stay.

McGee is sentenced to chair on May 8

JACKSON, Miss., April 9—(AP)—The Mississippi Supreme Court today set May 8 as the new execution date for Willie McGee, Negro, convicted three times of raping a white woman in November, 1945.

It is the fourth time the court has set a death date for McGee. On three previous occasions stays of execution have been granted to permit additional legal menuvering by his lawyers.

2-7-E (2)

In setting the date the court followed closley its standard practice of allowing between four and eight weeks between the time the execution date is set and the actual execution.

4-9-51

A state law requires trial judges to grant the four weeks grace period but it is not binding on the Supreme Court.

McGee's attorneys Saturday asked the court to delay setting the date for 30 days to allow them time to start new pardon proceedings before Gov. Fielding L. Wright.

The court did not grant the extension. Wright has refused comment as to what action he might take if a pardon is requested.

Hodding Carter

Looking at the South

Just a little over a year ago, a young Mississippi circuit judge presided at the trial of three degenerate white murderers who had butchered a Negro family. The principal offenders escaped death only because two jurors refused to join the others in ordering the extreme penalty. Another of the trio also received a life sentence, and the third whose role was secondary was sent up for a long term.

27e

Daily (2)

Not once in that trial was the race issue raised by the attorneys for the defense or the prosecution. No sympathy was voiced by any citizen for the three "Tobacco Road" characters who themselves could be considered victims of society. The only general reaction to the trial was resentment that the central figure had not paid with his life for the crime. The legal procedure from apprehension to sentence took less than a month. And, wonder of wonders, two national magazines, not noted for partiality towards the South, commented with favor upon this proof of growing inter-racial justice.

3-25-51

Last week the one time circuit judge, now attorney general of Mississippi, appeared before the United States Supreme Court in another inter-racial case. His purpose was to oppose the granting of a fourth trial for Willie McGee, a Mississippi Negro who was [redacted] nearly six years ago for the rape of a white woman. The case has gone two times to the United States Supreme Court, sitting as a body, and twice in the past year he has won new reprieves through unusual stays of execution by individual justices of that court. The last stay was obtained because of a contention that the victim of the rapist had voluntarily had relations with him. This the attorney general denied; and in his brief of denial appears a phrase which I hope will give pause to the justices of the nation's highest court.

Pleaded the Mississippi Attorney General:

"We respectfully again submit the thought of the chief justice of Mississippi that further delay, in the absence of an extraordinary showing, will simply be to render the courts of a state impotent to try and punish its guilty criminals. A state, too, is entitled to the benefits of due process. We, therefore, earnestly submit that McGee's request should be denied."

Let's look at the background of the attorney general's contention.

In the six years of delay and especially during the past year the officials and the courts of Mississippi, the parents of the woman victim and the intent of the citizens of the state have been made the object of foul and familiar abuse. A man facing death will do anything, including the taking of another's life if necessary to escape that fate; and so in terms of survival, it is understandable that the condemned man and his wife would be willing to destroy anyone's character. It is not understandable at this late date that a supreme court justice should accept this maneuver as a reason for further delay; and it is a travesty on justice itself that the Civil Rights Congress has conducted a thus far successful campaign of vilification in which the Southern court and cities are themselves convicted, without trial, of viciousness, legal lynching and conspiracy against exposure of inter-racial sexual lapses.

The only door that could have been opened once to Willie McGee was that of clemency on the ground that unequal penalties are exacted on a racial basis for the commission of the same kind of crime. This inequality must be completely ended in the South and it can be. But because of the nature of this case and the provocative strategy of the Civil Rights Congress, that door has been closed in this case. And if the strategy succeeds, the courts of the South might as well be closed too, insofar as inter-racial trials are concerned, for in the words of Mississippi's attorney general the court will be "impotent to try and punish its guilty criminals." And this possibility, with all it implies of violence, is just what the Civil Rights Congress wants—and far more than it wants to save the life of Willie McGee.

JUSTICE AGAIN RAVISHED

Vito Marcantonio, New York Communist, former member of Congress, and the most unpopular person who ever sat in that body, has joined other Communist lawyers seeking to defeat justice in the Willie McGee case.

Marcantonio made a long distance call to Gov. Wright asking that execution of McGee be again postponed, and how Gov. Fielding succeeded in holding his temper while the man who was kicked out of office last year was talking, is hard to understand. Maybe he didn't.

Daily News

Even more difficult to understand is why Associate Justice Black, of the United Supreme Court, granted another stay of execution without giving any reasons whatsoever therefor, when he well knew that the entire defense of McGee has been built by Communist lawyers on ridiculous falsehoods.

But maybe that isn't so hard to understand, either, when it is recalled that Black is decidedly a leftist and, prior to being appointed to the United Supreme Court, was not suspected of being a lawyer of even average ability.

When it is considered how justice has been ravished in her own temples in Mississippi and at Washington, how Communist lawyers have deliberately falsified the records and made a joke of decently and orderly law enforcement in behalf of a black-hearted rapist, the wonder is that our people have succeeded in restraining their indignation.

Certain it is, we have here a glaring example of the sinister influence of Communism and an excellent reason why all decent citizens should shower Communism and all Communists with implacable hatred.

27e(2)

When Justice Hugo Black granted the stay of execution he pointed to a large stack of telegrams and letters on his desk, all of the senders urging him to grant a stay of execution, and, with an inconsistency characteristic of the man, he rebuked the senders of these messages, saying:

"The courts of the United States are not the kind of instruments of justice that can be influenced by such pressure."

If so, then why in the hell did Justice Black grant the stay of execution, once more thwarting justice, when he well knew all of those telegrams were inspired by Communists, and that McGee's Communist lawyers were shamelessly lying when they again lugged in their old, threadbare plea that new evidence had been discovered, or that they could proce McGee didn't get a fair trial?

It is hard to find even one extenuating circumstance for Justice Black's action. He gave no reason for granting the writ. He is thoroughly familiar with the Willie McGee case. He participated in the rulings of that tribunal when it refused to interfere with the death sentence. He knows, if he knows anything at all about the law, that in each instance the rapist received a fair and impartial trial. He knows that the defense lawyers are employed by a Communist organization and are therefore unworthy of trust and confidence. He knows, or should know that the pleas of "new evidence" is plain perjury and the McGee lawyers should be prosecuted therefor. Yet, in the face of all that, he put the stamp of his approval on a motion that again makes a ghastly joke of justice.

This old farce has been so often and so unsuccessfully staged in the courts during the past five years that it should stir righteous indignation in the minds of all self-respecting jurists.

Granting of the stay of execution was reprehensible. To accompany it with a lot of judicial blah-blah was much more so.

McGee Petition Says Whole Story Of Case Untold

WASHINGTON — (UP) — Counsel for Willie McGee, Mississippi Negro [redacted] to die for raping a white woman, asked the Supreme Court Tuesday to free him from prison or order a new trial for him in Federal court.

A petition in his behalf said the whole story of his case had not been told at previous trials. It said that he and the woman's husband had worked together for years, that he had worked in the couple's home, and that he and the woman had had voluntary sexual relations.

The petition added that an affidavit will show he was somewhere else at the time of the alleged rape in November, 1945.

3-20-51

27e(2)

McGee's case has been before the high court three times before. He is now under a special stay of execution issued by Justice Hugo L. Black until the high court can rule once again. The court's next meeting day is Monday.

As for McGee's petition for immediate freedom, the court aides said the high bench has not issued an original writ of habeas corpus in 50 years. If a new trial is ordered, the court must find that Federal Judge Sidney C. Mize erred on March 5 when he denied McGee a writ.

McGee's attorneys claimed he was convicted on perjured testimony and that he was sentenced to death solely because he is a Negro. They want to present more evidence and put McGee himself on the stand. Mize would not allow this.

Attorney General J. P. Coleman of Mississippi soon will file a reply to McGee's latest petition. The petition was signed by five attorneys, including former New York Congressman Vito Marcantonio.

The petition said that about a year after McGee started work in the woman's home they began sexual relations and were intimate regularly. It said McGee tried to break off the relationship but the woman insisted that they contnue.

"In essence, McGee has been forced to participate with the prosecution in a nefarious conspiracy against himself," the petition said. "This conspiring is engendered by the distorted mores of the state of Mississippi which makes sex relations voluntarily entered into between a Negro man and a white woman a greater offense than the crime of rape itself . . . petition was prevented even by his own attorneys from suggesting it in the trials in the state court."

Barelegged Trio Tours Residential Area for McGee

Two barelegged Chicago women crusading to save Willie McGee's neck lost out with three indignant Jackson housewives Friday.

The two women chugged down East Fortification street in a battered old car at a local attorney's residence.

Daily News

"We left our children in Chicago and paid our own expenses down here in the interest of Willie McGee," one crusader said. "It isn't fair for a man to be put to death without a chance."

3-17-51

One Jackson woman said she thought McGee ought to be hanged "today instead of Tuesday," but the hostess winked at her to "see what they'll say next." (McGee's execution has been stayed by U. S. Supreme Court Justice Black.)

They said: "We want you ladies to read this letter from Mrs. Willie McGee and then call Governor Wright to save him. There are 150 of us in town with a preacher to stop the execution."

27E(1)

The three women gasped when they read "Mrs." McGee's "filthy" letter. One horrified local housewife told the crusaders she knew the Negro woman never wrote that typewritten sheet of lies.

One of the "civil rights" crusaders was described as dark-haired, about 23, and looked Italian. The other, described as the "leader" of the two, was about 28.

"I got so mad at 'em my hair was standing up on end," an attorney's wife said. "I told them that's just what the Russians were using to stir up trouble in our country."

The three local ladies told the Chicago women to go talk to their husbands working downtown in Jackson. The crusaders said they didn't have time, being pushed to make all the calls on their "list."

"We don't remember the women's names or that preacher's name they told us," one housewife said. "We were just too mad to remember it."

J. A. Travis, M.E.A. field secretary, said that he received calls from two other crusading women who said they were from California.

Order to Stay Execution of Willie Reaches Laurel

Daily News

3-18-51

LAUREL —(AP)— An order staying the execution of Willie McGee, convicted Negro raptist, was received by Sheriff Steve Brogan here Saturday.

The Jones county sheriff said the order bore the seal of Elmore Cropley, Clerk of the United States Supreme Court.

McGee was scheduled to die here next Tuesday in the state's portable electric chair for raping a white Laurel housewife six years ago.

His execution was stayed by Supreme Court Associate Justice Hugh Black last Wednesday. It was the second time that the Supreme Court has given the three-time convicted McGee a reprieve.

Associate Justice Harold Burton granted the first stay last July 27—14 hours before McGee was slated to die.

The Mississippi Supreme Court set aside his first two convictions. McGee now claims through his attorneys that he was convicted on perjured testimony.

HIGH COURT IS ASKED BY M'GEE TO FREE HIM

WASHINGTON, March 20 (AP)— Attorneys for Willie McGee, Mississippi Negro sentenced to death for criminally attacking a white woman, asked the Supreme Court today to free him or order a new trial in Federal Court.

McGee was scheduled to die in the electric chair today. Justice Hugo L. Black of the Supreme Court last Thursday granted a stay, which is effective until final action on the request filed today.

A petition filed by McGee's attorneys said the true facts of the case had never been tried. It said McGee and a husband of the white woman worked together for years and that McGee worked in the home of the white couple. The petition reiterated the charge that McGee was convicted on perjured testimony and said he was sentenced to death solely because he was a Negro.

27E(2)

McGee's counsel asked the high court to free him on a noriginal writ of habeas corpus, a procedure that had not been used by the Justices in the last half century. In the alternative, the attorneys said McGee should have a new trial in Federal Court in Mississippi.

McGee has been convicted three times in Mississippi State courts. The Supreme Court three times in the last two years has refused to review his conviction. The high tribunal may announce next Monday its decision on the new request.

High Court Gets Rape Plea

By the United Press

Counsel for Willie McGee of Mississippi, sentenced to die for rape, told the Supreme Court yesterday that he has never been allowed to tell the "whole story" of the affair.

Post

In a petition urging the high court to order a new trial, defense lawyers including former Representative Vito Marcantonio asserted that McGee had "voluntary" sex relations with the woman.

In previous trials, it said, McGee has been "prevented even by his own attorneys" from telling this.

"The distorted mores of the State of Mississippi make sex relations voluntarily entered into between a Negro man and a white woman a greater offense than the crime of rape itself," the petition said.

27E(2)

The case has been in the courts for five years, and reached the Supreme Court three times. Justice Hugo L. Black ordered a stay of execution for McGee last week until the court can rule again.

In the new petition, Marcantonio and his colleagues said McGee's case must be transferred into the Federal courts if he is to get a fair trial. They said they can present evidence that he was somewhere else at the time of the alleged rape.

Attorney General J. P. Coleman of Mississippi will file an answer soon.

Grand Jury Indicts White Men For Raping Negro Woman

Informer

3-31-51

VICKSBURG, Miss. — (ANP)— Two white men were indicted by a Warren County grand jury last week, and charged with having kidnaped and raped a Negro wo[redacted] last New Year's eve. unable to make bond, Stewart, 31, and Lonnie L. Bevell, 28, according to Sheriff J. H. Henderson. They were arrested New Year's and have been held since then on chares of assault and battery. The grand jury indictments, charging rape assault and batery with intent to kill and murder and kidnaping, were revealed Tuesday of las week.

27E(2)

According to the sheriff, two armed men identifying themselves as officers, forced their way into a Negro crossroads store near Eagle Lake New Year's Eve, struck one Negro woman and forced another to accompany them.

The second woman who gave her age as 32, wandered into a farmyard the next day. She related to police that she had been beaten, raped and left unconscious on a side road a mile from the farmhouse, according to the sheriff.

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and forced another to accompany them.

The second woman, whose name was not disclosed but whose age is given as 32, wandered into a farmyard the next day. She told officers she had been beaten, raped and left unconscious on a side road a mile from the farmhouse, the sheriff reported.

Woman, 32, Beaten

Jail 2 Whites On Charge of Kidnap, Rape

27E(2)

VICKSBURG, Miss. — Two white men are in the Warren County jail under indictments charging them with kidnaping and raping a Negro woman last New Year's Eve and jury indictments charging them with rape, assault and battery with intent to kill and murder, and kidnaping were revealed March 13.

The men identified by Sheriff J. H. Henderson as John [illegible] Stewart, 31, and Lonnie L. Bevell, 28, were arrested New Year's Day and had been held since then on charges of assault and battery. They were unable to make bond.

POSED AS OFFICERS

Sheriff Henderson said two armed men identifying themselves as "officers" forced their way into a Negro crossroads store near Eagle Lake, New Year's Eve, struck one woman

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Mississippi Pair Charged With Rape Are Denied Bond

3-31-51

27E(3)

VICKSBURG — (Special) — Two North Mississippi white men charged with the rape of a Negro woman near Eagle Lake last New Year's Eve have been denied bond.

The men, James Leroy Stewart and Lonnie Leroy Bevell, who reside in Panola and Quitman counties and who were indicted in connection with the case, were denied release on bond in a habeas corpus hearing before County Judge Ben Guider here Friday.

Trial of the men, scheduled at the March term of Warren county circuit court, was delayed because of the serious illness of Sheriff J. H. Henderson. They are now scheduled for trial in July.

Asks Clemency For McGee Of Mississippi Governor

27E(3)

NEW YORK — An appeal for executive clemency for Willie McGee, who failed this week for the fourth time to win a Supreme Court review of his Mississippi rape conviction, was asked of Governor Fielding Wright of Mississippi by Walter White, executive secretary of the National Association for the Advancement of Colored People.

"In view of the uncertainties surrounding the conviction of Willie McGee," Mr. White wired Governor Wright, "the NAACP urges you to grant executive clemency as an act of mercy. In the minds of millions in this country and abroad, McGee's guilt has not been established. A humanitarian act on your part would help dispel the widely held view that it is impossible for a Negro accused of crime against a white person to get justice in Mississippi. We urge you to take that positve action."

The refusal of the Supreme Court to hear the case means that McGee will be electrocuted unless his attorneys can win further delays.

8260

NEGRO WOMANHOOD DEFENSE COMMITTEE SEEK $10,000 FUND TO PROSECUTE WHITE MAN WHO RAPED 14-YEAR-OLD DAUGHTER OF WORLD WAR II VETERAN HERE LAST WEEK

27e (2) Miss -

Crowd Of Near 1000 Brave Threatening Skies To Attend Monday Night Meeting

CHILD IN CRITICAL CONDITION AFTER BRUTAL ATTACK

JACKSON, Miss.—June 5 (DNS)—A mass meeting of Negro citizens, stirred to action by the brutal rape of a 14-year-old girl, the oldest of five children in the family of a world war II Veteran, by a 48-year-old white man here last Wednesday, added to a number of other such cases that have occurred in and around Jackson during the past three or four years, cases in which white men have never even brought to trial, was held at Pratt Memorial Methodist Church Monday night.

Dat 6-9-51

In spite of the heavily overcast skies and sporadic drizzles that threatened every minute during the early part of the night to bring on the long overdue rain, the mass meeting was attended by a crowd of close to one thousand Negro citizens, men and women representing the best families in every neighborhood and section of the city, among them being ministers, business and professional men, professors, teachers, and the heads of Lodges, clubs and other organizations of the city.

Meanwhile, Hugh L. Morrow, the 48-year-old white man who lured the child away from her home on pretense that he was taking her to stay with his children but instead took her to an outlying section of the city and where he brutally raped her, threatening to throw her in the lake if she cried out, who was arrested a few hours after the crime admitted his guilt to police Friday. He is being held in Jail without bond.

The purpose of the mass meeting was to begin raising a fund to secure legal aid in the prosecution of the whiteman charged with the brutal rape of the 14-year-old girl here last Wednesday, the sum of which was set by the meeting at ten thousand dollars.

The Mass meeting was called and sponsored by a group of widely known and prominent women, active in church, PTA, and women's clubs circles who organized themselves into the Negro Womanhood Defense Committee after the rape of the 14-year old girl last Wednesday.

Dat 6-9-51

With Mrs. E. W. Barker as chairman, the Mass meeting was opened, followed by prayer with a statement of the reason for its calling, and its purpose, by Mrs. Theresa Almore, President of the Parent Teachers Association, and chairman of the Womanhood Defense Committee.

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Mrs. Doris Tharp Hall, followed Mrs. Almore with report of a committee appointed to visit the family, investigate the conditions surrounding the family to obtain the familys story of the crime and report its findings to the Mass Meeting. In her report of the finding of the committee Mrs. Hall revealed that the young girl was in a critical condition both physically and mentally as a result of her cruel and brutal experience. That the group had obtained the admission of the child to the Jackson College Hospital where aside from her physical condtion it was feared that she might suffer a complete nervous breakdown.

The report of Mrs. Tharp also revealed that the 14-year-old child was the oldest of six children of the family of a world war II Veteran, the youngest child in the family being an infant only five months old.

The family the report of Mrs. Hall stated appeared justified in sending the young girl out after school to earn a little money because of the low income status of the father and the number of young children in the family.

Upon the invitation of the Committee, Percy Greene, Editor and Publisher of the Jackson Advocate, the States Leading Negro Weekly, and rapidly becoming one of the most widely known Negro Newspapers in the nation, who is also President and Executive Director of the Mississippi Negro Democrats Association, was the principal speaker of the meeting.

In the speech that drew rounds of applause from the crowd that filled the church and overflowed out into the hallways and onto the lawn the editor said that in the name and in the spirit of the highest ideals of American Democracy, now engaged in a battle with communism for ideological leadership of the world we are gathered here tonight in the exercise of our rights as American Citizens to assemble freely and petition the government for redress of grievances. While lauding to the highest spirit and purpose of the women who called the meeting the Editor said that raising money itself to bring about the prosecution and conviction of the man who had committed the brutal and dastardly crime against childhood and womanhood was not enough. This time of crisis and disturbance brought on the shock of this crime, added to the list of such crimes previously committed, should lead every intelligent Negro citizen to pay his poll tax and become qualified to vote.

The punishment of those who commit such crimes the editor said lies in the hands of elective office holders, sheriffs, prosecuting attorneys, and judges, and the reason why such crimes have gone unpunished is because Negroes have not had enough votes to hinder or help them in seeking election to office.

Calling attention to the fact that the rape of the young girl reemphasized the need of Negro policemen to constantly patrol the Negro neighborhoods of the city and thus place greater safeguards around Negro children, the editor called attention to the fact that the responsible officials of city have repeatedly refused to appoint Negro police in Jackson despite the fact that Negro police have been appointed, and are doing outstanding jobs in many cities throughout the south, including three cities in Mississippi. Indeed, the editor said, one responsible city official has publically stated his unattenable opposition to the appointment of Negro police in Jackson. This too, the editor said, is because Negro citizens of Jackson do not have enough votes.

In closing the editor said the Negro citizens of Jackson must find away to awaken resposible white people to deeper concern for, and greater cooperation with responsible Negro citizens in correcting many evils and unhealthy situations existing in our Negro neighborhoods.

Jackson Miss

The Jackson Negro citizen of intelligence must begin to count out the would be Negro leaders, whether preachers, doctors, professors, or business men, who seek every means to rationalize every evil affecting the Negro citizen and the Negro community, and especially, he said, the responsible Negro citizens must repudiate at every opportunity that class of would be Negro leaders who will say that the Negroes are satisfied with anything that happens as long as he gets his thirty-pieces of silver.

Following the editors speech a total of more than seven hundred dollars was raised at the meeting including three hundred dollars from the Beta Alpha Chapter of Omega Psi Phi Fraternity.

It was also revealed during the fund raising that a group of women in Washingtons' Addition had raised a fund of ninety-dollars which they had turned over to the family for doctors bill and to buy the clothing needed by the child while in the hospital.

The Womanhood Defense Committee announced that the meeting would be followed each week with a meeting at some church in the city each week till the goal of Ten Thousand dollars had been reached.

The Officers of the Womanhood Defense Committee are: Mrs. Theresa Almore, President, Mrs. E. W. Barker, Vice-President, Mrs. Linnie Ross, Secretary, Mrs. L. L. Romans, corr-Secretary, Mrs. Rosa Redmond, Asst. Secretary, Mrs. Doris Tharp Hall, Treasurer, Mrs. G. C. Cypress, Pianist, and Mrs. Sarah M. Harvey, reporter.

Death Penalty Plea Shaped in Rape of Negro

7-10-51

VICKSBURG, Miss., July 9—(AP) A 27-year-old white farmer accused of raping a young Negro woman went on trial here Monday before 12 jurors who said they had no objection to the death penalty.

The question was specifically asked of all prospective jurors as they were examined by district attorney T. J. Lawrence. He wanted to know if each would vote the death penalty if convinced of the defendant's quilt "beyond a reasonable doubt."

27e(2)

Later Lawrence said the state "definitely will ask for the extreme penalty" in the case.

The defendant is Lonnie Bevell, indicted on charges he and John Stuard kidnaped a Negro woman from a New Year's Eve party at an Eagle Lake cross roads store, took her to a nearby hunting camp and raped her. Later the indictment says, the two Batesville, Miss., men released the woman in the woods.

She was found, dazed and half clothed, the next day, according to Sheriff J. H. Henderson.

Bevell and Stuard, who will be tried separately, are charged with rape, kidnaping and assault and battery with intent to kill and murder.

The last juror was accepted just before court recessed for the night. First testimony in the case will be heard at 9 a. m. Tuesday.

Warren County Jury Finds White Man 'Not Guilty' In Rape Of Negro Woman

VICKSBURG — (AP) — A jury of 12 white men Thursday acquitted a 27-year-old white farmer charged with raping a 31-year-old unmarried Negro woman.

The state demanded death for Lonnie Bevell who was charged with raping the woman at a deer-hunting camp near here last New Year's Eve.

(Bevell and John Boyd Stuard, also of Batesville, will stand trial next Wednesday in connection with the indictment which charges that they kidnapped the Negro woman. Bond is to be granted to both.)

The case drew wide attention in Mississippi where state officials said it was the first time in their memory that a white man's life was asked for raping a Negro woman.

The jury, a cross-section of farmers, businessmen and laborers, retired to deliberate at 3:52 p. m. Wednesday and returned the verdict shortly after court reconvened at 9:30 a. m. Thursday.

Bevell, a veteran of both the army and navy from Batesville, Miss., had maintained his innocence throughout the four-day trial.

He denied raping the woman when he took the stand in his own defense Thursday.

Earlier, the Negro woman had accused Bevell from the witness stand as being one of two white men who abducted her from a country store yard New Year's Eve and later raped and beat her into unconsciousness.

Bevell's version of the incident was different. He said he attempted to take the woman to the sheriff's office after she called him "a white S. O. B." in front of a group of Negroes congregated at the country store.

"I struck her twice and ordered her to come with me to the sheriff's office," he recounted.

He said she entered his truck voluntarily and later jumped from the vehicle when it slowed down to cross a river levee.

"I did not strike her (after she jumped from the truck) beat her or have intercourse with her," he told the jury.

The woman testified that the two white men threatened to throw her in the Mississippi river after raping and abusing her.

She said she was on her knees to pray when she was knocked out by a blow from behind.

Warren County Circuit Judge R. B. Anderson charged the jury that they could acquit the defendant or they could convict him on a charge of rape with a recommendation for the death penalty or life imprisonment.

Jury frees white man in Negro attack case

VICKSBURG, Miss., July 12—(AP)—A jury of 12 men today acquitted a 27-year-old white farmer charged with raping a 31-year-old unmarried Negro woman.

The state demanded death for Lonnie Bevell who was charged with raping Cornelalious Slater near here last New Year's Eve.

7-12-51

The jury of farmers, business men and laborers, retired to deliberate at 3:52 p.m. yesterday and returned the verdict shortly after court convened at 9:30 a.m. today.

The defense asked acquittal on the grounds that there was no medical evidence that the woman had been criminally assaulted.

Circuit Judge R. B. Anderson told the jury they could acquit the defendant or they could convict him of rape with a recommendation of the death penalty or life imprisonment.

Within the memory of state officials here there is no previous case in which the death penalty was asked for a white man accused of raping a Negro in Mississippi.

In this case, Cornelalious Slater, unmarried, said Bevell and another white man abducted her from among a group of Negro celebrators last New Year's Eve, took her to a deer-hunting camp, and raped and beat her. She said Bevell had posed as an officer.

Bevell, an Army and Navy veteran, from Batesville, Miss., said the woman called him a "white S. O. B.," and he hit her with his flashlight and ordered her to go to the sheriff's office with him. He said she got into his truck voluntarily, but jumped from the truck and ran away as it slowed down to cross a river levee.

Other witnesses testified the woman, bleeding and beaten, stumbled into a farmyard the next morning.

Farmer Denies Intimacy With Negro; Defense Rests

VICKSBURG — (AP) — A young white farmer fighting for his life against charges he raped a Negro woman, testified Wednesday he had not been intimate with his accuser at gunpoint or under any other circumstances.

"No sir, I did not,' 27-year-old Lonnie Bevell answered calmly when County Attorney J. D. Thames asked him directly if he had raped the woman.

The defense rested its case after Bevell's testimony and attorneys for both sides prepared to present their arguments to the 12-man, all white jury that has said it has no objection to the death penalty.

Court officials did not expect the jury to begin considering the case until late Wednesday afternoon. It is the first time in memory of state court officials that the death penalty has been asked in such a case.

Bevell, a veteran of both Army and Navy service, said he hit the 100-pound, 31-year-old woman with a flashlight.

She provoked him, he testified, by calling him a "white S.O.B." before a group of Negroes on the lawn of an Eagle Like crossroads store last New Year's Eve.

"I struck her twice and ordered her to come with me to the sheriff's office at Mayersville," he said. She got into the truck voluntarily, he added.

Mayersville is the county seat of adjoining Issaquena county. Bevell said he did not know he was in Warren county at the time.

Bevell said the woman jumped from the truck and ran away as it slowed to cross a levee.

"I did not strike her, beat her or have intercourse with her," he told the jury.

The largest crowd of the three-day-old trial was on hand Wednesday morning to hear the young, bespectacled farmer calmly tell his story. He displayed no emotion while under examination by his attorneys and became only slightly ruffled at one or two points when Thames took over the questioning.

The frail, 100-pound woman took the stand Tuesday and identified Bevell as the man who attacked her.

ATTACK CASE IS GIVEN TO JURY AT VICKSBURG

Attorneys Argue Three Hours On Fate Of Lonnie Bevell

NEGRO WOMAN TESTIFIES

By CHARLES FAULK
Special To The Commercial Appeal

VICKSBURG, MissD., July 11.—The fate of a Panola County white man who is charged with raping a Warren County Negro woman, was in the hands of a Warren County Jury Wednesday night.

The spectacular case against 27-year-old Lonnie Leroy Bevell, of Batesville went to the jury at 3:52 p.m. Wednesday. The jury was instructed to bring in one of three verdicts: Guilty as charged, carrying the death penalty; guilty with life imprisonment; or acquittal.

7-11-51

Argue Three Hours

The case went to the all-white jury after four of the opposing attorneys, two for the state and two for the defense, had argued three hours. County Prosecuting Attorney J. D. Thames fired the opening of the arguments with the assertion that class and race should be eliminated from deliberations.

"If it's a good law on one hand, it's good on the other," he declared.

Defense Attorneys John Prewitt of Vicksburg and T. N. Gore of Marks followed, with the final summation by Dist. Atty. T. J. Lawrence.

Nearly two hours after the jury was dismissed, there was no report from the deliberation room.

In the three-day case, 13 witnesses testified for the state, including the 31-year-old victim of the alleged assault, who said that on last New Year's Eve she was forced at gun point to enter a truck with Bevell and a companion, John Boyd Stuard, and that subsequently she was stripped, raped and beaten senseless in a cattle pasture near Eagle Lake.

Admits Striking Her

On the stand Wednesday, the defendant admitted striking the woman and taking her in his truck. He said she cursed him.

"She called me a white SOB," he told the jury, and said he was taking her to the sheriff of neighboring Issaquena County. Bevell said the woman leaped from the truck when they slowed the truck at a cattle gap on the levee.

The courtroom, virtually empty Monday and half-filled Tuesday, was packed for the final session Wednesday.

ts MacArthur
berts

WOMAN ON STAND IN ATTACK TRIAL

Identifies White Farmer as Her Assailant

Wed. 7-11-51

(The Associated Press)

Vicksburg, Miss., July 10 — A 27-year-old white farmer was identified Tuesday by a Negro woman as the man who raped her at gunpoint last New Year's Eve.

The woman took the witness stand and pointed out defendant Lonnie Bevell as the man who attacked her.

Bevell from Batesville, Miss., is on trial charged with rape. The state is asking for the death penalty for Bevell — the first time in the memory of state officials that the supreme penalty has been sought for a white man in such cases.

An orderly audience of 275 persons, about divided between Negroes and white people, listened intently as the woman testified about her assault. She gave this version of the events:

About 8 p. m. Bevell seized her from a group of Negroes congregated near a country store. She said Bevell approached her with a pistol in hand and said, "I am the law, I am going to arrest you."

After leaving the group, she said, Bevell struck her with the pistol to make her stop crying.

She told the court that Bevell and another white man tore off her clothes and raped her. Later they threatened to kill her, she said. She is a slight woman, weighing about 100 pounds, and is unmarried.

"I begged for a chance to pray," she told the male all-white jury. She said she was on her knees when she was knocked out. "I woke up about daybreak, got up and tried to find the highway," she said. "I kept falling down."

Later, she said, she stumbled into a farmhouse yard and was brought to Vicksburg where she was hospitalized for five days.

When impaneled Monday, each of the jurors told district attorney T. J. Lawrence he had no objection to the death sentence if convinced of Bevell's guilt.

Bevell was indicted with John Boyd Stuard, also of Batesville, for kidnapping, rape and assault and battery with intent to kill and murder. They are being tried separately.

27e(2) 1951

Mississippi

8261

SOUTH'S CUSTOMS BARED:

High Court Told Real Story in McGee Case

WASHINGTON (NNPA) — The United States Supreme Court was told last Tuesday that the real facts in the case of Willie McGee, Laurel, Miss., who is under sentence of death for an alleged criminal attack, had been suppressed through three trials in state courts.

In an unusual petition, filed in the high tribunal, attorneys for McGee asked the court to release him from prison on a writ of habeas corpus or to review the action of Judge Sidney C. Mize of the Federal District Court for the Southern District of Mississippi denying McGee a writ of habeas corpus.

27e(2)

Attaches at the Supreme Court said it has been at least 50 years since the high tribunal itself has issued a writ of habeas corpus. The lawyers contend, in behalf of McGee, that his petition for a writ of habeas corpus in the District Court raised material issues of fact which required Judge Mize to conduct hearings and take testimony.

3-31-51

Baltimore

Say No Attack Involved

They also contend that the issues raised had not been determined prior to the habeas corpus action.

According to the petition, there was no attack but voluntary relationship between McGee and the white woman. The petition states that McGee and the husband of the woman worked together for years. McGee, it alleges, worked in her home. When he tried to break off from her, it is asserted, she refused.

An affidavit, made by Mrs. Hattie Johnson, the petition adds, proves that McGee was at her house at the time of the alleged attack. Attorney for McGee also contend that the condemned man was convicted on perjured testimony and that the death penalty was permitted only because he is colored.

Blames Southern Customs

"We are here faced with a challenge to the underlying mores and customs of certain southern communities, to that code of unwritten law which constitutes the greatest barrier to the liberty and equality visualized by the 13th, 14th and 15th Amendments, the petition declares, adding:

"Every custom, every usage, every teaching surrounding the relationship enforced upon colored and white persons in Mississippi compelled silence on the part of McGee."

McGee was scheduled to die in the electric chair March 20, but Justice Hugo L. Black granted a stay of execution on March 15 pending action by the Supreme Court justices on a petition for review of the action of Judge Mize and the Fifth United States Circuit Court of Appeals.

State Denies Contention

The State of Mississippi on Friday vigorously denied the newly-raised contention of McGee that he had voluntary sexual relations with his alleged white victim.

Opposing McGee's petition for a review of his case, Mississippi Attorney General J. P. Coleman, in a brief filed in the United States Supreme Court, said McGee's allegatiton that his alleged victim had voluntarily been intimate with him is branded by the trial record as absolutely false.

Coleman points out that the character of the woman was not assailed at the original trial. He added that McGee admits in his petition for a review that he could not sustain this contention by anyone but himself and his wife.

This contention, the Mississippi Attorney General continues, was raised by proceedings in 1950 and were branded by the Chief Justice of the Mississippi Supreme Court as altogether unfounded.

McGee Death Appeal Is Denied Hearing For Fourth Time

3-27-51

The high court for the fourth time denied a hearing to Willie McGee, a Mississippi Negro sentenced to the electric chair for the rape of a white woman.

3 Times Convicted

McGee has been convicted three times in Mississippi courts. Governor Fielding Wright of Mississippi has charged that Communists were agitating in McGee's behalf.

Attorneys for McGee include left-wing former U. S. Representative Vito Marcantonio of New York. They asserted that the white woman had voluntary sex relations with the Negro, and that McGee never has had a chance to present his case fully. Mississippi Attorney General J. P. Coleman replied that this and other angles of the case had been weighed by both state and federal courts.

The Negro was scheduled to be executed March 20, but Justice Black granted a stay pending action on the new appeal by McGee's counsel.

3-27-51

27e(2)

During a hearing in his chambers on the motion for a stay, Black criticized the sending of dozens of telegrams to him urging his intercession for McGee. Black said these were not the kinds of instruments of justice that can be influenced by such pressures.

Josephine Baker Supports Willie McGee Campaign For His Release

Fri. 3-30-51

Mrs. Rosalie McGee, Wife, Continues To Fight For Her Husband

New York, N. Y. — Josephine Baker, internationally-famous Negro artist who is breaking down Jim Crow restrictions in all her American appearances, has expressed her support for the campaign to save the life of Willie McGee, Laurel, Miss., Negro worker facing death for alleged rape.

27e(2)

In a message to Mrs. Rosalie McGee, who has been touring the country in the campaign to save her condemned husband's life, Miss Baker declared, "My heart goes out to you and all those who are working to save your husband's life. As an artist who has no political affiliations, but who believes in human justice and freedom everywhere, I extend my deepest sympathy to you in this time of trial—I passionately hope your fight to win justice for your husband will succeed for your sake and our people's."

The note was sent to Mrs. McGee at a giant American Labor Party rally in Harlem's Golden Gate Ballroom where more than 4,000 Negro and white citizens from all parts of New York gathered in protest gainst McGee's death sentence.

The Civil Rights Congress, which five times in the last five years has saved McGee from execution, reported that seldom has an audience been so moved. There was many a tearful eye in the audience as she told how her husband's case symbolized the struggle of 15,000,000 Negro people in America.

The brave, slender wife of the innocent Negro worker told the standing-room-only rally, "Five years ago, I couldn't get up and speak like this. But I had to learn to stand up and speak and fight."

3-30-51

She continued, "Five years ago, they framed my husband. Any day now, they might frame you. Even if they kill my husband, I'm going to fight right on. I have four children to raise. I want to teach them what this is all about. But I believe we're going to win this fight. I'm going to fight until my husband is free from behind iron bars."

At the same rally, Paul Robeson, who had a few days earlier led 2,500 delegates to Washington, D. C., in the demand that President Truman intervene to have McGee's life, told, the cheering audience, "Willie McGee is not standing alone. Somewhere we see tt urn where the American people aret fighting for their democratic rights again."

The Civil Rights Congress has urge dwires, letters and post-cards to President Truman urgins him to use his powers under the Federal Civil Rights Act to save Willie McGee.

Plain Words On The McGee Case

Editor Daily News: There have been so many good editorals written lately in the Daily News in regard to the Willie McGee case till I personally thank you for the stand you have taken. We the people in this good old state have always been governed by our laws yet many times they have not been enforced, but as to the Willie McGee case we know he has been tried a number of times and each time 12 good men convicted him of one of the worst crimes in state in Mississippi, the crime of rape against a white woman Yet after he has been sentenced three different times to pay the supreme penalty with his life, a bunch of Communists lawyers and Federal judges has ruled that our laws cannot be enforced here in Mississippi. I with many others say why have a law to protect our wives, mothers and daughters against brutes who prey on them for a chance to rape them. We know that this case has encouraged the Negro and others may try the same act and the law cannot interfere. I believe in enforcing our State laws. Yet after there is no other way to enforce them I think the people should take over and see that Mr. Willie McGee fills his date with the chair.

27e(2)

If this case continues don't we well know there will be others to follow for they well know they can get by our laws in Mississippi. Why can lawyers from New York, Florida, Chicago, and other states come into our courts and lie and claim they have new evidence We know they lied, we know they used every ounce of evidence at his first trial in order to save him from the chair,yet we set here and let them pull our hair over our eyes and his wicked life is spared from a just sentence from the courts of Miss.

We say its time for the God fearing, peace loving people to wake up before our wives, mothers or daughters experience the same dasterly act that Willie McGee forced on that good mother in Jones county. Let's see that those Communists from other states cannot come to Mississippi with their dirty schemes and encourage the negro to rape white women then laugh in our faces for letting them get by with it. Our hat's off to Judge Coleman and Governor Wright for trying to see that this beast has satisfied the courts of Mississippi by paying with his life for the awful crime he has committed,yet those Joe Stalin loving people are working all over the State of Mississippi trying to bribe people into thinking that Negro did not get a fair trial. People the time is ripe for we as a peace loving people to bring this wooly negro to justice and then those who care to follow his beastly act.

27e(2)

Yours for better law enforcement.

E. A. Ellis,
Jackson, Mississippi

HE WANTS TO SAVE WILLIE McGEE

William Faulkner, novelist, says he does not believe Willie McGee a rapist.

If you have read Faulkner's novels you can no doubt understand his belief.

Faulkner says, says he, that he did not authorize the Civil Rights Congress to quote him as saying that McGee was convicted on perjured evidence.

Faulkner also denies saying he is opposed to the execution because he does not think the crime warrants it, and that it would be harmful to his native state.

3-28-51

Well, then, why inhell is he butting in?

Why does he blow off at the face about a case he knows absolutely nothing about?

Faulkner did not attend either of McGee's trials.

He did not hear any of the evidence offered in the lower court trials, nor did he read the briefs or listen to oral arguments in the several appeals to the Mississippi Supreme Court or the United States Supreme Court.

27E(2)

In other words, he is a complete ignoramus, insofar as the Willie McGee case is concerned.

Nevertheless, at the instigation of the Civil Rights Congress, which Faulkner well knows is a Communist front organization, he tells a couple of women propagandists that he "believes McGee is probably innocent."

Do your own judging of Faulkner.

WILLIE McGEE AGAIN

So now the Communist-paid lawyers of the Civil Rights Congress are going to carry the case of Willie McGee to President Truman.

27E(2)

Vic Demorvelle, Jr., 1720 Capitol street, this city, in New York on business last week, sends the Daily News a copy of a mimeographed pamphlet being passed out on street corners, worded as follows:

On February 2nd and 5th of this year SEVEN INNOCENT NEGROES, THE MARTINSVILLE SEVEN, WERE EXECUTED. Their deaths brought to 51 the number of Negroes put to death in Virginia since 1908 for so-called "rape." In the same period NO WHITE MAN CONVICTED OF THAT CRIME HAS EVER BEEN GIVEN THE DEATH SENTENCE.

NOW, IN THE STATE OF MISSISSIPPI, ANOTHER INNOCENT NEGRO, WILLIE McGEE, FACES DEATH IN THE ELECTRIC CHAIR. WHY??? The same false rape charge! THIS IS AGAIN A CASE OF LEGAL LYNCHING "FOR NEGROES ONLY!"

It is on Willie McGee's behalf that we are speaking to you. Make no mistake about it—WILLIE McGEE WILL DIE UNLESS YOU ACT AT ONCE TO SAVE HIM. THERE ARE ONLY A FEW DAYS LEFT . . . President Truman has the power through his Attorney General to SAVE WILLIE McGEE'S LIFE . . . WON'T YOU WIRE OR WRITE TO PRESIDENT TRUMAN, WASHINGTON, D. C., TO SAVE THE LIFE OF THIS INNOCENT MAN???

There seems to be no limit to the impudence, arrogance and lawless spirit of the Civil Rights Congress.

In one way, however, it is understandable.

The Civil Rights Congress now has the wife of Willie McGee making "personal appearances" at Communist mass meetings being held in New York and other large cities.

At meetings a collection is taken "for the benefit of Willie McGee," but in reality for the treasury of the Civil Rights Congress. That body, it seems, is trying to get back some of the money it has spent hiring lawyers for the rapist.

Court Sets McGee's Execution May 8th

27E21

JACKSON, Miss.—The Mississippi Supreme Court Monday set May 8 as the date for execution fot Willie McGee, convicted three times of the alleged rape of a housewife.

Attorneys for McGee Saturday asked the court to delay setting the date for 30 days to allow them time to start new pardon proceedings before Governor Fielding L. Wright

The court refused to grant this request and only two weeks ago, the United States Supreme Court decided [illegible]

Since the woman was raped in November, 1945, McGee's case has recieved worldwide attention. It is the fourth time the court has set a death date for McGee. On three previous occasions stays of execution have been granted to permit additional legal action by his attorneys.

Mrs. McGee Insists ON Innocency Of Doomed Mate

MEMPHIS, Tenn. — (SNS) — A small group of persons....... inter-racially composed, sauntered about the Memphis Air Terminal Monday evening of this week April 2nd. They were anxiously awaiting arrival of the Chicago and Southern plane with passengers from points North, Northwest, and East. Until arrival of Flight 413, the delegation was casual and unconcerned with immediate happenings at the airport.

Then came the announcement over the loudspeaker that Flight 413 was taxing in. And there was a rush by every member of the delegation for Gate 1.

Last passenger to leave the plane was a small, slightly built woman with a quick glance and a hidden smile. For two years her life had been one airplane ride after another... c r o s s-country jaunts... talks before large audiences deeply interested in racial problems which were willing to give ears and contributions.

27E(2)

The woman was Mrs. Willie McGee......wife of the Laurel, Miss., worker who is facing death in the electric chair for alleged rape. McGee was scheduled to die on last Tuesday, a week ago, but a stay of execution was granted him on March 15th by the United States Supreme Court Justice Hugo Black in order to permit the full court to decide whether it will grant McGee a new review of his case.

Mrs. McGee has kept hope continuously burning within her husband since he was convicted of rape five years ago. She has done her traveling through the sponsorship of the NAACP and The Civil Rights Council, in an effort to save her husband from the electric chair.

And to what avail are all her travels, addresses, especially when she is not allowed to see her husband on regular visiting periods... and this began when she started her tour in May, 1950. Neither she nor her children, whose ages range from 9, 10, 11 and 12, three girls, and a boy (10), have seen McGee. Although Mrs McGee receives mail periodically from her husband, she has not communicated directly with him since July, 1950. The tone of his letters remain about the same ...that he will be saved, because he was convicted; knowing that he was innocent.

Not only is the NAACP and CRC pushing the case of McGee, but recently an interested group of women have joined in an effort to save this man who has had to bear so much suffering and shame being imprisoned. This group of white women from both Southern tion."

and northern states toured Mississippi in an effort to win local support for Willie McGee, issuing an Easter appeal calling for McGee's full freedom. The appeal stated, "If McGee is allowed to die, the Negro people will mourn him as another martyr to Jim-Crow justice. But they will go on fighting for equality. But by his death, those who are white can only be pushed further into the mire of degradation, of deceit, of lies, terror and bloodshed. Our guilt will be the guilt of Pontius Pilate."

The appeal was signed by Mrs. Eleanor Hoaglund, Winston Salem, N. C., a former national YWCA official; Mrs. Winifred Feise, New Orleans, La.; Mrs. Carmen Davis and Mrs Dorothy Simpson, both of Memphis, Tenn.; Mrs. Evelyn Frieden, representing the International Longshoremen's and Warehousemen's Union, Local 6, of Oakland, Calif.; and other women from California, Illinois, Wisconsin, Mississippi, New York, Chicago, Colorado and Pennsylvania. This delegation which originated in Memphis under the supervision of Mrs. Simpson, toured the state of Mississippi for two weeks; they spent one week in Jackson, six days on the road and one day in New Orleans.

The Jackson DAILY NEWS in bold headlines labeled them the "Barelegged Trio." During their stay in Jackson, the mayor [illegible] the populace to call police if contacted by these women. But the delegation kept walking from door to door; getting influential people to help stay the execution of Willie McGee and ask for a new trial. The citizens of Oxford, Miss. sent donations to the McGee Committee.

The group which met Mrs. McGee at the airport included members of the women's delegation from Memphis, Mrs. Carmen Davis and Mrs. Dorothy Simpson; Ed McCrea, business manager of FTA Local 19; Mrs. Bea McCrea; Mrs. Henderson Davis, wife of former trustee of FTA; Lawrence McGurty, Provisional Secretary of Memphis division of "Save Willie McGee" Committee. Through this and similar committee, funds were provided for the work of the women's delegation.

27e(2) 1951

Mississippi

8262

White Man Freed Of Rape; Convicted On Kidnap Charge

World Wed. 7-25-51

27e(2) Miss

BY JAMES B. LaFOURCHE

VICKSBURG, Miss. — (ANP) — An acquitted white rapist, Lonnie Bevell, ~~Batesville~~ farmer, was found guilty last week of kidnapping a Negro woman. The all-white jury deliberated only 15 minutes. Sentence will be pronounced on the last day of court. After the trial, John Boyd Stuard of Marks, Miss., Bevell's white companion, pleaded guilty of kidnapping in the same incident. He was granted a plea to have sentenced delayed until December.

Earlier during the week, Bevell had been tried for raping the same Negro woman, but the jury found him not guilty. The state had asked the death penalty. He faces a maximum sentence of 10 years in the kidnapping case.

Bevell, a former World War II veteran, testified that he put the woman into his truck at an Eagle Lake store last New Years Eve, with the intention of taking her to the Sheriff of Issaquena county.

Taking the stand in his own defense, Bevell testified that the woman protested the entire time she was in the truck. He said that she jumped from the vehicle when it slowed down to cross a cattle gap on the levee. He said she had called him a "white S. O. B."

The 31-year old victim testified that she was taken to a cattle pasture, beaten, assaulted and left for dead.

Clinching the victory for the victim was the testimony of FBI technician Henry J. Heiberger, laboratory expert. He said that the blood and human hair found on Lonnie Bevell's pistol corresponded to that of the Negro woman he was accused of kidnapping.

Dr I. C. Knox, Lutheran hospital official, told the ~~jury the~~ woman was [illegible] cuts on head and face and severe bruises on the bosom and abdomen when she was brought in for treatment New Years Eve.

The outraged woman, Mrs. Cornelius Slater, denied that she had cursed Bevell. Her sister Mrs. Bertha Thomas, said Bevell struck the former with his pistol before forcing her into the truck. Other Negro witnesses, including Mrs. Georgia Shadd and George Williams, also testified that Bevell forced Mrs. Slater into the truck.

Aside from the testimony of three witnesses that Bevell was armed, Jack Conway, son of Eustace Conway, on whose farm Mrs. Slater is employed, told the jury that the victim's sister had informed him that her sister had been abducted.

During the rape trial, the victim pointed her finger at her 27-year old attacker, a wavy-haired farmer who wore glasses.

She told how she was seized from a group of Negroes in the yard of a crossroad store at Eagle Lake near here, about 8 p. m. last New Year's Eve, when Bevell, pistol in hand, walked up and said "I am the law, I am going to arrest you."

Frightened the woman commenced crying and Bevell struck her over the head to sience her. The attacker next tore her clothes off and raped her threatened to kill the victim.

"I begged for a chance to pray." she told the jury, adding she was on her knees when the knockout blow came.

"I woke up about daybreak, got up and tried to find the highway, but I kept falling down.

She then told how later in the day she wondered into a farmyard and was brought to Vicksburg The woman was hospitalized and received treatment after leaving the institution.

Other state witnesses to testify were Sheriff J. H. Henderson and Deputy Sheriff Sam Boozer, who made the arrests. Also several Negroes who were in the yard that day and the framers who found the woman and brought her to town for treatment.

The Vicksburg Rape Case

Advocate Sat. 7-21-51

27e(2)

Jackson, Miss.

The eyes of the world were on Mississippi the other day while over in Vicksburg a White man was being tried for the rape of a Negro woman, in a case unique in the history of the State because it was the first time that the State was asking the death penalty in such a case.

It was a sad day for Mississippi. It was a sad day for the nation, in the contest for world leadership, in the struggle of democracy against communism, when an all-White-jury in a situation where Negroes are virtually barred from jury service-rendered a "NOT GUILTY" verdict in a case where the nation and the rest of the world had been lead to believe that the evidence was sufficient to warrant the State in asking the death penalty.

All Mississippians of intelligence are well aware of the fact that the crime of rape, where the actors are the reverse of the Vicksburg case, is one of the tension-point crimes, used always to arouse all of the deep-seated passions and prejudices of the South and to bring in to play those forces directed at the Negro group in order to preserve what is called Southern Tradition.

All Mississippians also are well aware of the fact that in the crime of rape, as well as in all other crimes, Southern Tradition decrees one standard of justice for a Negro charge with a crime against the White group, and a totally different standard for a White man charged with a crime against the Negro group.

More evident than in any other category of crime, whether the actors be as in the Vicksburg case or the reverse, trial for rape in Mississippi is always trial by tradition rather than by law.

It is from these long existing patterns and mores, flowing from what Mississippians like to refer too as "our way of life" that the rest of the world is judging American Democracy, and American fitness for world leadership.

In spite of protestations against "outside influence" in the affairs of the state, it is no less true that in the eyes of the world the nation is being judged—and a great amount of that judgment is being based on how Negroes are being treated—by what is happening in the State of Mississippi, as well as by what is happening in the State of New York. It may indeed be true that the rest of the world, because of it stubbornly held—to tradition, and "our way of life" may now be looking more towards Mississippi than towards New York for the real and trust-worthy examples of democracy, and evidence of American fitness for world leadership.

World progress towards the acceptance of American Democracy and American world leadership may be noted in a recent booklet (Lets join the Human Race) published by a distinguished American scholar, an article in a recent issue of Life Magazine, and a more recent article in the Saturday Evening Post by a long-time Missionary in Africa, each of which contained a clear warning of the growing mis-trust of the American white man now spreading over the world, of predominately colored people.

Certainly intelligent Mississippians themselves were not fooled by the blandishments, nor by the final verdict in the Vicksburg case. In this day of increasing knowledge and intelligence everywhere in the world we can be sure that the enemies of democracy have not been fooled by the blandishment, nor by the verdict in the Vicksburg case.

If Mississippi and Mississippians are to be joined in a sincere struggle to uphold and extend American democracy, and in making any contribution towards American leadership in a better world, the gravest and the greatest challenge for the future lies in the Vicksburg rape case.

Victims Are Baby Sitters

White Men On Spot In Dixie Rape Cases; Ask FBI Probe In Memphis

27e(2)
Miss

JACKSON, Miss.—The trial of a 48-year-old white man, charged with raping a 14-year-old girl baby-sitter, was continued Wednesday until the November term of Circuit Court by Judge [illegible] McGowan.

The [illegible] rapist, Hugh L. Morrow, a white carpenter, was not allowed bond by Judge McGowan.

He was arrested after the child rape victim told police she was hired by Morrow to care for his children while he and his wife went fishing.

Instead of taking her to his home, the white man was said to have driven to a lonely gravel road on the edge of [illegible] and attacked her.

Sheriff Albert Jones said Morrow signed a written statement admitting that he criminally assaulted the child.

The continuance was granted by Judge McGowan on request of District Attorney Julian Alexander Jr. He explained that it would be impossible to get to the case before the present term of court ended Saturday.

Morrow has been held in Hinds county jail since the rape victim identified him shortly after the attack.

The man was indicted on the rape charge June 13 by a Hinds county grand jury.

MEMPHIS, Tenn.—The FBI has been asked to study grounds for federal prosecution of two white men under the white slave law or kidnaping statute in connection with an interstate rape case involving a 12-year-old girl victim.

U. S. District Atty. John Brown requested that the FBI look into the case to determine if federal laws have been violated. He said, "This is a terrible thing, if the charges are true."

The men, Augusta Woody McGarrh, 28, and Glen McClain, 28, picked up the girl at her home on the pretext of employing her as a baby-sitter for McGarrh's children.

The two white men were said to have driven the girl across the state line into Mississippi and raped her in a Courtland pasture on Thursday night, June 7. Courtland is about six miles south of Batesville.

Both men were released on $3,000 bond each by by Panola county officers.

McCain is married to McGarrh's sister.

They were held on statutory rape charges. If federal authorities act in the case, penalty for violation of the federal white slave traffic law (Mann Act) is up to five years in prison.

Conviction under the federal kidnaping statute could bring a death penalty unless the victim is returned unharmed.

Laurel Housewife Sues Communist Paper for Libel

27e(2)
Miss

NEW YORK — (AP) — A Mississippi housewife who accused Willie McGee of raping her is suing a Communist newspaper, the Daily Worker, for $1,000,000.

Ross Barnett of Jackson, attorney for the Laurel white woman, filed the [illegible] suit Wednesday, claiming the Daily Worker spread false and malicious statements to its 25,000 subscribers in the United States. The paper [illegible] in a vain effort to save [illegible].

McGee, a Laurel Negro, was executed for rape on May 8.

The woman, Mrs. Willette Hawkins of (433 Magnolia Street) Laurel, charged in her federal court complaint that the Daily Worker defamed her character by portraying her as unchaste, resulting in abusive mail, telegrams and phone calls from people who believed the story.

The complaint quoted the Daily Worker as saying in [illegible] on May 8:

"Willie McGee was murdered because the white woman who had forced an illicit affair upon him for more than four years suddenly shouted 'rape' after the whole town discovered the story."

The woman said McGee "During the night X X X unlawfully entered the plaintiff's home while she was in bed and asleep and forcibly raped her."

State Rests In Bates Rape Case; Public Barred From Hinds Courtroom

27e(2)
Miss

State testimony in the case of Dan Robert Bates, white butcher indicted for assault with intent to rape a 12-year-old white girl, was completed shortly before noon Thursday.

A jury for the case was empaneled late Wednesday and was locked up for the night.

The girl victim in a courtroom closed to spectators told the jury that [illegible] took her home from her father's house because the father's car was out of gas.

She related in her testimony that he drove down Cooper road where he stopped the car and threw her down on the seat, attempting to molest her. She told the jury that when Bates brought her home she ran into the house crying and reported the incident to a girl who lives in their home.

The mother and the roomer also testified but the defense counsel John [illegible] Quinn did not cross-examine them.

pickup [illegible]

Jurors sitting on the case are D. N. Schilling, D. N. Clark, G. A. Morgan, B. K. Melton, James Dunnegan, E. E. Hand, E. S. Hagan, J. H. Campbell Jr., W. C. Elkins, Ernest E. McCoy Jr., C. H. James, and James S. Vinson.

Mississippi Jury Indicts Morrow On Rape Charge

27e(2)

JACKSON, Miss. — (SNS) — The Hinds County Grand Jury returned a bill of indictment against Hugh L. Morrow, the 48-year-old Mississippi white man accused of the rape of a 14-year-old Negro baby-sitter.

It was testified that the young girl was criminally assaulted by Morron on Wiggins Road, an area west of Jackson. The attack was said to occur on Thursday, May 31.

A doctor's examination revealed that the girl was seriously injured by the assault. She told officers that she was picked up at her home by the alleged attacker who told her that he and his wife were going fishing. She said that he told her she was needed to sit with the children who would be left at home.

The girl's mother, it was revealed, allowed her to go with the man. However, according to the victim's testimony, instead of taking her to the home, the man took her on Wiggins Road near a lake.

She stated that he took the seat out of the car and carried out the assault despite her efforts to resist. When she started to cry and scream, Morrow, it was said, told her that his family which was on the lake would hear her and that he would get into trouble.

She testified that he returned her to her home and put her out, saying that he would throw her into the lake if she told.

6-19-51

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Mississippi

8263

Here Are Last Minute Efforts To Save McGee

By FRANCES BAKER BRIGGS

Communist-front organizations made feverish efforts—right up to the zero minute—to save the life of Willie McGee, Negro rapist who died early yesterday morning in the state's electric chair.

Mrs. Bella Abzug, New York attorney for the Civil Rights Congress went to the Governor's Mansion Monday night and pleaded with Governor Wright, until about ten minutes until midnight, to spare the Negro's life.

Governor Wright declined to intervene in the case, which had been three times turned down by the U. S. Supreme court, and twice by the U. S. District court.

Immediately before midnight Vito Marcantonio, New York Communist party leader and former congressman, telephoned Governor Wright and attempted to persuade him to intervene in the McGee case. The Governor again refused.

Earlier in the evening the Civil Rights Congress attorneys made frantic attempts to halt the execution by going through Judge Borah, of the Circuit Court of Appeals, New Orleans, Justices Burton and Black, of the U. S. Supreme Court, Chief Justice of the Supreme Court Vinson and President Truman, all of whom turned down their appeals.

The series of appeals was made after U. S. District Judge Sidney C. Mize about 7:10 p. m. turned down the attorneys petition for a stay of execution as a part of a legal move in a damage suit brought against State Attorney General Coleman and nine other law enforcement officials.

In New York, William L. Patterson, executive secretary of the Civil Rights Congress, said Tuesday, "Willie McGee, an innocent man, has been executed only because he was a negro."

The Congress was a leader in the unsuccessful fight to save McGee's life. The Justice Department has listed the congress as subversive.

The Congress sponsored a street corner meeting in Harlem early Tuesday, which attracted Negroes. An extra police detail said the gathering was "quiet and orderly."

At 1:35 a. m. (EST) a speaker announced McGee had been executed. The crowd listened without demonstration.

A moment later, a negro clergyman on the truck said a brief prayer. Another man recited an "oath to avenge the death of Willie McGee" and to "fight to the end the lynch law in the United States." Some people in the crowd repeated the oath at his request.

The execution brings to an end court litigation which has extended over five and a half years and has exhausted every legal remedy.

McGee was arrested on November 3, 1945, the day after a white Laurel housewife was raped in the bedroom of her home.

He was traced through a grocery truck which was seen parked in the vicinity of the home about the time of the rape, and which McGee was still driving when arrested in Hattiesburg. It was a delivery truck owned by McGee's employer.

On the way back to Laurel, he told Deputy Sheriff Preston Royals he had raped the woman, and on their return to Laurel pointed out the house and where the truck was parked.

His victim testified in court that her assailant threatened to cut her throat and the throat of her baby who was in bed with her.

Her husband was asleep two bedrooms away, and did not awaken.

Feeling ran high in Laurel and Jones county and the state Supreme Court reversed the conviction and death sentence on June 10, 1946, on grounds that McGee could not have had a fair and impartial trial in Jones county.

A change of venue was ordered, and at the second lower court trial, held in Forrest county, McGee was again convicted and sentenced to death. The second conviction was nullified on the grounds that Negroes had been systematically excluded from the jury lists because of race.

McGee was again tried on March 5-6, 1949, in Laurel, convicted and again sentenced to death. The state Supreme Court upheld this conviction, although the defense contended Negroes still were systematically excluded from the jury lists. McGee's death date was set for June 3, 1949.

At 7 p. m. on the night of June 2, 1949, Acting Chief Justice W. G. Roberds signed a perfected appeal to the U. S. Supreme Court. The appeal automatically stayed the execution.

On May 22, 1950, the U. S. Supreme Court refused to intervene, and on June 12, 1950, the state Supreme Court fixed July 27, 1950, as the execution date.

On July 25, 1950, a delegation of nine persons representing the Civil Rights Congress—branded a Communist organization by the Justice Department—appeared for an open hearing before Gov. Fielding L. Wright. They sought clemency, but only one of them who spoke said he had read the record of the case or knew of its details.

Governor Wright never made a public announcement of his decision after the hearing.

On July 24, Emmanuel Bloch, long-time organizer for the Communist party, and Mrs. Bella Abzug appeared before the state Supreme Court which Chief Justice Harvey McGehee called back from vacation, to ask a writ of error coram nobis and a new trial.

They claimed to have newly discovered evidence. They also argued that McGee was being discriminated against because no white man had ever been executed for rape in Mississippi.

The two New York attorneys did not present any witnesses to support their contentions of new evidence. When asked if they had checked circuit court records in every one of the state's 82 counties since Mississippi became a state to support their claim of discrimination, they said they had not.

The petition was turned down.

On July 26, Bloch went to Biloxi to appeal to District U. S. Judge Sidney Mize. Mrs. Abzug went to Washington to seek a stay of execution for another appeal to the U. S. Supreme court.

Mrs. Abzug secured a stay of execution from Associate Justice Harold Burton on July 26, 14 hours before McGee was to go to the chair. Bloch meanwhile withdrew, without prejudice, his petition before Judge Mize.

On January 20, 1951 the U. S. Supreme court again refused to intervene The State Supreme court on February 5, fixed March 20 for the execution.

Starting early in March John Coe of Pensacola, Fla., sought another new trial in the Jones Circuit court, then the State Supreme court. He asked a writ of error coram nobis on the same grounds as those used by Bloch and Miss Abzug the summer before. They were turned down in both places.

They then revived the District U. S. Court action, appearing before Judge Mize at Vicksburg asking a writ of habeas corpus and a federal court trial to hear the new evidence. Mize turned them down, saying, "I have read the record twice and his guilt is plain."

Mize also expressed the opinion the defense was using dilatory tactics. He refused a certificate of probable merit which would allow an appeal to the U. S. Circuit court of Appeals at New Orleans.

The Appeals court was sitting in Jacksonville, Fla., and Coe went there to seek the certificate first, in order to appeal Mize's decision. Judge E. R. Holmes, of Yazoo City, refused it.

Mrs. Abzug, joined now by five other attorneys, including former Congressman Vito Marcantonio of New York, asked another stay from Associate Justice Hugo Black of the U. S. Supreme court. Black criticized a flood of telegrams he received in McGee's behalf warning that the courts decided cases on the basis of the facts and justice, not because of pressure.

Black granted McGee a new stay of execution on March 1, giving the defense until March 20, to file their appeal.

The appeal was turned down. Coe and Mrs. Abzug appeared before the State Supreme Court and asked that the fixing of a new execution date be either indefinitely delayed or given the maximum (eight weeks) time, in order that they might seek a new trial. The court fixed the execution date four weeks hence, or May 8.

Meanwhile, Coe and Mrs. Abzug published in the Laurel Leader Call of Laurel a petition for clemency.

On last Saturday, they appeared before the Governor to ask for a pardon or reprieve. Immediately after the hearing they filed in Federal court here a damage suit against the state Attorney General and nine other law enforcement officials. The suit contained an injunctive clause seeking the staying of the execution.

Governor Wright told Mrs. Abzug that the matter had been taken out of his hands and placed in the Federal court. He did not further discuss the pardon with her until Monday night.

Police Haul Demonstrators Into City Jail

Jackson News

5-6-51

By JOHN HERBERS

Highway patrolman and city police closed in on 23 stylishly dressed white women shortly before 9:30 a.m. Saturday as they were standing on the corner directly in front of the Capitol.

About 12 patrolmen led by Chief L. C. Hicks drove up in patrol cars and surrounded them.

Chief Hicks asked:

"Where are you ladies going?"

"We're going to the hearing," said Mrs. Anne Braden, 36, Louisville, Ky., who identified herself as the chairman of the group of 25 women who gathered here from several northern and 2 southern states.

"No you're not," Hicks said. "You'll have to quit [illegible]ering."

"Why?" she asked.

"We've had enough trouble with this case, and we're not going to have any more."

An elderly bystander wearing a straw hat a white hearing aid walked up to the women and said:

"They ought to beat the hell out of you. I don't care if you are ladies."

Several of the women protested to officers, but remained on the corner about 10 minutes, surrounded by patrolmen.

Then they were informed they would be carried to police headquarters.

27e(2)

"You don't have any right to arrest us," said Mrs. Braden.

"We're just taking you to police headquarters," they were told.

Meanwhile several of the women offered their names, addresses and organizations to a reporter.

Mrs. Braden said the group met in Jackson Saturday morning. "We want to see the governor," she said.

Miss

Most of the women said they were from New York and several said they represented the Civil Rights Congress, which is branded as a Communist front group by the Justice Department.

All said they were representing either a union or some type of organization.

Mrs. Braden, a rather pretty but sallow-faced woman, said she was representing several "church groups" some of them Baptist. She said she was born in Jackson, moved to Columbus, Miss., where she started to school, then to Alabama. She said she moved to Louisville in 1947 and had been further north only on visits.

Speaking for the group she said: "We are here because we are determined that no more innocent men shall die in the name of protecting Southern white womanhood. We have been made a party to this injustice too long."

Sad-faced Mrs. Sarah C. Randolph of Spartanburg, S. C., offered:

"I know a lot of people from South Carolina and other states in the south are scared to come here because of this thing."

At headquarters the women were filed into the courtroom and seated. They were first booked under "protective custody" and officers were instructed to get their names.

Some of the women refused.

"If they refuse," said Chief of Detectives [illegible] B. Pierce, bring them to be fingerprinted and photographed.

Then they all consented to give their names.

Chief Pierce said that those who did not have identification would have to be fingerprinted and photographed. Then those were jailed.

Mrs. Braden protested several times to Chief Pierce and other officers. "It's not legal to do this," she said.

"I know what I'm doing," Pierce said.

Mrs. Braden continued to protest to several officers demanding that they be allowed to call an attorney.

Detectives escorted her upstairs to jail.

Earlier, when the women were being brought into headquarters, Daily News Staff Photographer W. C. Shoemaker stood outside snapping pictures.

After he had shot three, Highway Patrolman E. L. Poe asked him to turn over his camera.

When Shoemaker protested, Poe demanded he turn it over. He said he was acting under orders from Governor Wright.

About 20 minutes later, he brought it back under orders by Commissioer Birdsong and said there had been some mixup, that they "weren't supposed to take Daily News cameras."

Chief of Police W. D. Rayfield said the group was being held in "protective custody."

One of the most attractive women of the group identified herself as Miss Elaine Parun. Her short, blond hair was swept back from a pert face.

"I represent the Greenwich Village (New York City) chapter of the Civil Rights Congress," she said. She looked "Bohemian," as the Village folks are commonly expected to look.

Most of the women talked reluctantly to police, willingly to reporters.

The women who were left downstairs were sent up to the jail for lunch. Two of them were back shortly.

"I can't eat that slop," she told officers. "Can we send out for something." They were told they could, but one officer added:

"I eat there some myself, and it's good." (Police employes sometimes eat there by choice rather than at local restaurants.)

By noon, reporters and photographers were there from several papers, including the New York Times and Life magazine.

Detective John Sutherland approached a photographer and correspondent for Life magazine and asked who gave them permission to come in.

"The chief," said the photographer, E. Y. Kelly, Atlanta.

"What chief?" Sutherland asked.

"Out there," he shrugged. He had asked Chief Hicks of the highway patrol if he could enter.

Sutherland said he would have to take the camera and hold it until Chief Pierce returned. He placed it on Pierce's desk. Pierce ordered it returned when he came in.

The building was jammed with the arrested, officers, reporters, photographers and sightseers.

The remainder of the women who were not jailed sat talking, some smoking cigarettes.

They ranged in age from mid-twenties to mid-fifties. Most talked with northern accents.

"What is this?" they continued to ask.

Those jailed were placed in some of the back cells. They burst out in songs that could be heard over the area:

"Hallelujah I'm a traveler,
Hallelujah ain't it fine,
That's why I'm traveling,
Down freedom's main line,

"Oh, I hate Jim Crow,
And Jim Crow hates me
That's why I'm fighting
For Willie McGee."

Then they burst out in "John Brown's Body."

A young couple who told police they were from Memphis and who were arrested separately from the group of women sat quietly in a corner by themselves.

They were identified as Mr. and Mrs. John W. Simpson. Simpson said he was a superintendent of a cemetery. Mrs. Simpson sat with her hands folded on a Bible. Her snaggle-toothed husband refused to talk with reporters.

"We're just here on a trip," he said.

A group of well-dressed Negro men who were arrested in front of the Robert E. Lee hotel were brought in, quickly processed and jailed. One was identified as a reporter from a California paper.

Hundreds of persons milled in and out of the building all morning while police, city and county officials conferred in city hall.

Two tall gaunt women were arrested separately in the Capitol building, but were among the group of 23 who said they met here from all parts of the nation in McGee's interest.

They said they did not represent any organization, but were here "as individuals." One identified herself only as Miss Hall of New Jersey. The other was in jail unavailable for comment.

Speculation from spectators to the mass arrest varied from heated to sympathetic. Some said, "they ought to put them in the cell with Willie McGee."

Others, eying the apparent respectability and high intelligence of some of the women, said they thought that those were "misguided and misinformed."

1950 Nobel Prize Winner, Believes McGee Innocent

3-31-51

OXFORD, Miss. — William Faulkner, internationally-famed authority, 1950 Nobel Prize winner for Literature, whose novels on Mississippi life are world-famous, has expressed his belief that Willie McGee, Mississippi worker awaiting execution on a false rape conviction, is innocent and should be freed.

Speaking to a delegation of white women from southern and northern states now in Mississippi to win local support for McGee, Faulkner said he felt that the McGee frame-up was an outrage. He thought it was good that the delegation was in his state. Explaining that he did not for a moment doubt McGee's innocence, Faulkner agreed the new evidence proving perjury by the woman who charged McGee with "rape" was also true.

Faulkner stressed the fact that the women's delegation, by reaching neighborhoods and talking to people, was doing important work in the fight to free McGee. He laid great emphasis on the importance of white women from other states reaching white women of Mississippi.

McGee, father of four children, an ex-G. I., was scheduled to die on March 20 for alleged rape. A stay of execution was granted by Supreme Court Justice Hugo L. Black, to permit the full Supreme Court to decide whether it will review McGee's new appeal.

The new plea is based on evidence proving McGee was knowingly convicted by the State of Mississippi on perjured evidence. His attorneys also contend that he is a victim of un-equal justice. In Mississippi, as in the recent Martinsville Seven case in Virginia, only colored men are given the death penalty for rape, proven or un-proven.

Mr. Faulkner's statement on behalf of McGee was the latest in a series from eminent figures throughout the country and the world. Protests against McGee's death sentence have come from England, France, Germany, Africa, as well as from trade unions, N. A. A. C. P. chapters, churches, political leaders and colored and white citizens in all walks of life.

Jail 43 In Last Rally For McGee

Defender. Sat. 5-12-51

JACKSON, Miss. — While Gov. Fielding Wright conducted pardon hearings for Willie McGee Saturday, spectacular demonstrations outside the tightly guarded capitol resulted in the arrest of 43 whites and Negroes.

Wright did not immediately announce his decision on the hearings but studied a new suit filed by McGee's attorneys which charged local and state officials with prosecuting and convicting him "in violation of his civil rights."

A federal court was to hear arguments on this latest move Monday and defense attorneys said they would appeal once more to the U. S. Supreme Court if positive action isn't taken on their suit. The suit asks a restraining order to stop the electrocution, scheduled for May 8.

McGee has been sentenced to die for the alleged rape of a Laurel, Miss., white woman.

Jailed And Released

The demonstrators arrested were charged with "conspiring to obstruct justice." They were jailed but released when they agreed to leave town immediately.

Most were from Tennessee but others came from as far away as Sacramento, Calif., and New York city.

Defender

Before they were released, a group of the demonstrators gathered around their cell window and chanted to the milling crowd below:

"I hate Jim Crow and Jim Crow hates me. That's why I'm fighting for Willie McGee."

Sat. 5-12-51

Some expressed fear for their safety but Atty. Gen. J. P. Coleman told them that was a "bunch of foolishness.

"It is high time people quit charging Mississippi with that kind of conduct," he said. "If you leave the state expeditiously and orderly, you are safe against molestation.

Those Arrested

Among those arrested were the following from Memphis:

John W. Simpson, James Allen Boyd, Bessie Nunley, Carmen Davis, Earl Lane, William Davis, Clifton Hudson, James Turner, Eldridge Jones, Thomas J. Little Willie C. Hayes and Leroy Boyd.

Others arrested were Anna Braden of Louisville; Kathy Hart of Passiac, N. J.; Barbara A. Sakowitz, Brooklyn; Mrs. Belle Sundien, Brooklyn; Helen Gurewitz, Silver Springs, Md.; Elaine Ross, Lansing, Mich.; Rose Aponte, New York City; Molly Eisenstat, New York City; Doris Walker of Berkeley, Calif.

Marcey L. Majchrzyk Washington; Rose Breitberk, New York; Sarah Randolph, Spartansburg, S. C.; Fannie Mae Jones and Georgia Harris, Bellzoni, Miss.; Vandervelt Turner, Jr., Jackson; Clifford L. Hernandez, Baton Rouge, La.; Marie Wilson Frederickson, Brooklyn; Elsie Crane, Sacramento, and Regina Vandiver, Berkeley, Calif.

From New York City: Elaine Louise Parum, Esther Poyourow, Catherine Parker, Anna Borck, Adle Vincent, Lucy Brown Walach, Shirley Cohen, and Ida Baldinger.

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JO BAKER ASKS NATION TO PRAY FOR W. McGEE

27e(2)

CHICAGO—(ANP)— Fabled Josephine Baker, who has been drawing thousands to the Chicago theater here with her elaborate four scene show, took time out from show business Thursday to urge all ministers to declare Sunday, May 6, as "Willie McGee day" and to use as the basis of their sermon, "Equal Justice Under the Law."

She asked them to define its meaning and its relationship to Willie McGee.

Further, she asked that all persons who believe in God and the power of prayer to go to their church and pray that God will save the Mississippi man who is sentenced to die on May 8 for the alleged rape of a white woman.

Miss Baker suggested if Willie McGee was executed on May 8, that on Wednesday, May 9, all persons should put out the lights in their homes or wherever they are for 30 minutes to mourn the day when one among us paid the supreme price before the altar of bigotry.

The St. Louis girl who became the Empress Josephine of the Folies Bergere in Paris said that she had sent telegrams to both President Harry Truman and Gov. Fielding Wright asking them to spare the life of Willie McGee.

Her telegram to president Truman read: "Mr. President: In the name of Justice and humanity I urge you to intervene in the case of Willie McGee of Jackson, Miss., scheduled to be executed May 8. I ask you to use your power of executive clemency to grant him pardon."

To Gov. Wright she said: 'I appeal to you to stop the execution of Willie McGee on May 8 because his innocence has been securely established. If you have a heart, think of his wife and children. If you have a soul, remember you will be judged by God himself."

27e(2)

High Court Grants Willie McGee Stay

Afro-American

High Court to Hear New Evidence in Case of Thrice-Condemned Man

3-24-51

WASHINGTON (ANP)—A man, once attacked by colored leaders as a "member of the Ku Klux Klan," reached down from his high place as a justice of the United States Supreme Court and granted respite from execution to a colored Mississippi World War II veteran convicted of criminally attacking a white woman.

The stayer of the execution is Justice Hugo L. Black. The doomed man is Willie McGee, 36, truck driver condemned to die in Mississippi's portable electric chair on Tuesday, March 20. The stay of execution—a temporary one—gives McGee's attorneys time to file an appeal to the Supreme Court before the next formal session, to be held on March 26.

This will mark the fourth time that the highest juridical tribunal of the nation has reviewed the war veteran's case. Twice the Supreme Court has ruled that McGee's execution must be held up. The third time, in Januray, 1951, it refused to look into the case again.

Attack Charge Assailed

In the meantime, Mississippi courts 3 times have convicted McGee and sentenced him to death. He was accused of criminally attacking Mrs. Willimetta Troy Hawkins on Nov. 3, 1945, in her own bedroom, in total darkness while a child slept beside her and her husband and other children slept in an adjoining room.

At a press conference in New York, Mrs. Rosalee McGee, wife of the convicted man, revealed "new" evidence which may change the picture of the whole trial.

She told newsmen that her husband had been intimate with his alleged attack victim, Mrs. Hawkins, numerous times before and after World War II. She said the whole set of trysts began in 1942 when her husband worked at a filling station.

Afro-American

This continued, she said, until her husband went to the service in World War II. After he returned, Mrs. McGee said, Mrs. Hawkins again started chasing her husband. She said her husband was afraid the white woman would cry "attack" if he refused her.

Flight Proves Futile

To escape her, she said, McGee went to California to work, but returned to Mississippi because he was lonesome for his wife and four children. According to Mrs. McGee, the white woman accused McGee of the crime after she had had a spat with her husband.

Here in Washington, Justice Black warned supporters of McGee that telegrams and letters to the courts and judges will have no effect on the decisions of the court.

He said

27e(2)

"There seems to be growing up a practice of sending telegrams to judges in order to have cases decided by pressure. Counsel in this case have assured me they were not responsible for these telegram "I am not compelled to read these and have not and will not. it is a very bad practice. There is no defense for it except ignorance on the part of the people who did it."

Marcantonio Most Verbal

Six attorneys spoke before Justice Black in behalf of McGee. Speaking the most was former New York Rep. Vito Marcantonio. He declared that Mississippi has never executed a white man for attack. He also said that McGee had never been allowed to tell his true story in court in Mississippi.

Justice Black moved to stay the execution after U.S. District Judge F. C. Mize refused even to hear arguments in habeas corpus proceedings and declined to hear McGee's wife and another witness give testimony regarding the "affair" between him and Mrs. Hawkins.

Before the Supreme Court's action, two delegations assembled in St. Louis, Mo., Monday, from all parts of the United States, from where they were to move into Mississippi and stay until the execution day in protest to the injustice of the case.

Women, Clergy Aroused

One of the delegations was of white women; and the other was of religious leaders of both races. The American Labor Party of New York and the Civil Rights Congress, are foremost among the groups fighting for the life of McGee.

In Washington, last week, a 24-hour-a-day vigil was planned before the White House the day before Judge Black stayed the execution. A picket line was conducted before New York's City Hall; and the Trade Union Committee to save McGee sent a delegation to the Mayor, asking him to make an appeal for a new trial.

Day of Prayer Observed

In Harlem, the American Labor Party planned a public rally for the condemned man at the Golden Gate Ballroom; and even in far-off Los Angeles, the AME Bishops' Council issued an appeal for McGee's life.

Last Sunday was designated by many churches throughout America as a National Day of Prayer for McGee at the suggestion of the Civil Rights Congress.

Even from far-away Australia came a protest signed by 41 of the country's major trade unions asking that the war veteran not die to satisfy the ego of the white supremacists of the United States.

Court Sets Willie McGee Execution Date for May 8

Mrs. Brister's Conviction Upheld by Tribunal

Times-Picayune

(The Associated Press)

Jackson, Miss., April 9 — The Mississippi supreme court Monday set May 8 as the new execution date for Willie McGee, Laurel, Miss., Negro convicted three times of raping a white woman in November, 1945.

4-10-51

It is the fourth time the court has set a death date for McGee. On three previous occasions stays of execution have been granted to permit additional legal maneuvering by his attorneys.

New York

In setting the date the court followed closely its standard practice of allowing between four and eight weeks between the time the execution date is set and the actual execution. A state law requires trial judges to grant the four weeks grace period but it is not binding on the supreme court.

27e(2)

McGee's attorneys Saturday asked the court to delay setting the date for 30 days to allow them to start new pardon proceedings before Gov. Fielding L. Wright. The court did not grant the extension. Wright has refused comment as to what action he might take if a pardon is requested.

Conviction Upheld

The court also upheld the conviction of Mrs. Janie Brister, long time employe of the state tax commission who was convicted of embezzling more than $19,000 from that agency.

In another ruling the court turned down Al Roberson's suggestion of error filed against a previous decision directing Harrison county Sheriff Lax Quave to turn Roberson over to Louisiana authorities. Roberson is wanted in West Feliciana parish. The court also denied his petition that the Harrison county circuit court be directed to hear his petition for a writ of error coram nobis.

McGee's case became an international affair after his second stay of execution granted last July by Associate United States Supreme Court Justice Harold Burton.

Telegrams from Australia, Communist China and several European countries behind the iron curtain were sent Gov. Fielding L. Wright demanding a pardon or clemency for the Negro.

McGee was convicted three times of the same crime. His first two convictions were overturned by the state supreme court.

The civil rights congress, labeled a Communist organization by the justice department, secured three stays of execution after his third conviction.

Refuses to Intervene

After each stay, however, the US supreme court refused to intervene. The court has never entered the case other than to review the state court records.

The court ruling Monday was written by Justice Lee Hall. He did not make any comment on the case other to itemize the defense's latest steps in seeking US supreme court action.

Mrs. Brister, tax commission cashier for more than 14 years, was sentenced to three years in prison after her conviction. She was arrested after discrepencies in commission bank deposits and receipts were called to the attention of commission chairman Alf Stone and Gov. Wright.

The former cashier attacked her conviction on grounds she was promised leniency by investigating auditor Dick Quin. She told Quin, he testified, that "I and I alone am responsible" for the shortage.

Justice Hall said in his opinion that Quin did not promise leniency.

He also quoted Mrs. Brister's statement to Stone that no coercion or promise of immunity was involved.

"The evidence shows without dispute. . . that the appellant (Mrs. Brister) is guilty as charged," Hall said.

The sentence imposed is extremely light and the conviction is affirmed."

(The Associated Press)

Jackson, Miss., April 9 — The Mississippi supreme court handed down the following decisions Monday:

IN BANC

By Justice Lee Hall:

Hobson Boyd vs. Illinois Central Railroad Co.; Jones, circuit; reversed and remanded. Justice Roberds and Chief Justice McGehee dissenting.

Willie McGee vs. state; Jones circuit; motion sustained and date of execution set for May 8, 1951. Justice Kyle took no part.

DIVISION B:

By Commissioner W. N. Ethridge:

S. J. Allison et al vs. Camp Creek drainage district of DeSoto County, Mississippi, et al; DeSoto, chancery; affirmed.

L. H. Cruthirds vs. state; Perry, circuit; affirmed.

By Commissioner Olney Arrington:

Delos Hollingsworth vs. Mrs. Ruth (Bilbo) nix, et al; Amite, chancery; suggestion of error overruled.

By Commissioner J. G. Holmes:

June Antoinette Turner Brown, et al; vs. Percy Pittman; Marion, Chancery Marion; affirmed. Justice Hall took no part.

Mrs. Ada B. Anglin vs. Washington C. Anglin; Lee, chancery; affirmed.

Mrs. Ruby Loftin vs. state; Jones, circuit; reversed and remanded.

By Justice Lee Hall:

Mrs. Janes Brister vs. state; Hinds, circuit; affirmed.

State vs. Hubert Hoyle; Itawamba, circuit; affirmed.

Paramount Fire Insurance Co. vs. Joe Anderson, et ux; Harrison, circuit; affirmed.

Mrs. Marjorie Craft Thornton et al vs. Harvey Headrick, et al; Smith, chancery; suggestion of error overruled.

By Justice Julian Alexander:

State vs. Hubert Hoyle; Itawamba, circuit; affirmed.

Fred Ramsey vs. Natchez Coca Cola Bottling Company; Adams, circuit, affirmed.

A. S. Lucas vs. state; Perry circuit, affirmed.

By Presiding Justice W. G. Roberds:

Al C. Roberson vs. Laz Quave, sheriff; Harrison, county; motion to direct lower court to hear petition for coram nobilis is denied.

Al C. Roberson vs. Laz Quave, sheriff; Harrison, county; suggestion of error overruled.

Annie Kent vs. Robert Jones; Humphreys, chancery; motion to dismiss sustained.

Plea for M'Gee Wired Lumpkin

Times Picayune

(The Times-Picayune Capital Bureau)

Jackson, Miss., April 30—Lt. Gov. Lumpkin is convinced that workers for movements to "save" Willie McGee, thrice convicted Negro rapist, maintain an international pipeline.

Monday when Lumpkin took over as governor in the absence from the state of Gov. Fielding L. Wright, he found on his desk a telegram addressed to him from London, England, urging a reprieve for McGee, who is scheduled to die May 8.

On other occasions when he was acting governor, he has received request on behalf of McGee from foreign countries, along with numbers from the United States.

Lumpkin emphasized that he would "take no action whatsoever" in the McGee case during the absence of Gov. Wright.

Reuther Presents Plea for McGee

(The Associated Press)

Detroit, Mich., May 1—Walter P. Reuther, president of the CIO-United Auto Workers, Tuesday asked Mississippi Gov. Fielding L. Wright to spare Willie McGee from the electric chair.

In a telegram urging Wright to grant McGee celemency, Reuther said such action would be "a blow to Communist forces in America and abroad and deprive them of another weapon in their propaganda campaign against the free world."

5-2-51

New Orleans La

McGee, a Negro, has been sentenced to death on a charge of raping a white woman in 1945.

Union Head Asks McGee Clemency

Times Picayune

(The Associated Press)

Washington, May 2—Gov. Fielding Wright of Mississippi said before leaving Washington Wednesday that he had no comment on an appeal by President Walter Reuther of the CIO-United Auto Workers to grant clemency for Willie McGee, due to be executed next Tuesday.

Reuther sent a telegram from Detroit Tuesday urging Wright to spare the Laurel, Miss., Negro from the electric chair. The union president said that clemency would be "a blow to Communist forces in America and abroad and deprive them of another weapon in their propaganda campaign against the free world."

5-3-51

New Orleans La

After declining comment on the message, Wright added that a hearing had been set for McGee in Jackson, Miss., Saturday.

McGee was sentenced to die following his conviction on a charge of raping a white woman in 1945.

Demonstrators for McGee freed, to leave Jackson

JACKSON, Miss., May 5—(AP)—Forty-two persons were arrested by state police Saturday as demonstrators for Willie McGee, condemned Negro rapist, and charged with conspiracy to obstruct justice.

All pleaded innocent at arraignment hearing and were released on their own recognizance, with the agreement that all non-Mississippians among them would leave the state immediately, and that all Mississippians except the one Jackson resident would leave the city.

News

The group of McGee sympathizers were arrested Saturday morning as Gov. Fielding Wright opened a clemency hearing for McGee, convicted of raping a Laurel, Miss., white woman Nov. 2, 1945.

The McGee case, three times tried on its merits and three times taken to the U. S. Supreme Court has attracted widespread attention.

5-6-51

The agreement Saturday afternoon in connection with the 42 persons who were arrested was reached by Atty. Gen. J. P. Coleman, who appeared for the state, Jackson Mayor Allen Thompson, County Atty. Hugh Gillespie and Defense Attys. Bella Abzug of New York and John Coe of Pensacola, Fla.

Birmingham

Miss Abzug and Coe appeared before Wright to plead executive clemency for McGee.

Conspiracy to obstruct justice is a misdemeanor in Mississippi, punishable by a $500 fine or six months in jail, or both.

Wright took the clemency petition for McGee under advisement and did not indicate when he would announce a decision. McGee is scheduled to die at 12:01 a.m., May 8 in the state's portable electric chair in the Laurel courtroom where he was first convicted.

Originally only 30 persons were charged with conspiracy to obstruct justice, but just before their cases were called another 12 names were added to the affidavit filed by Gillespie.

The sympathizers were arrested on a corner across the street from the capitol as Gov. Wright began hearing the clemency plea.

New York Labor Unit Wants Truman To Save McGee

Daily

WASHINGTON — (AP) — A labor delegation from New York City was here Tuesday in an effort to get President Truman to intervene in the case of Willie McGee, Negro, sentenced to die in Mississippi May 8 for rape.

Members of the group said it included representatives of CIO, AFL and Independent unions in New York.

"We can no longer depend on the authorities in Mississippi for justice. We will call on President Truman to impress upon him that it is now his responsibility to save the life of this innocent man."

Jackson

The group spokesman said also that they plan to hold a prayer meeting in front of the White House Tuesday afternoon "for Willie McGee's life." They said the group will try to see Mr. Truman but this usually can be done only by making an appointment. They had none for today.

McGee had appealed unsuccessfully to the U. S. Supreme Court.

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Daily Worker

Willie McGee Dies In Chair; Governor Wright Refuses Stay

27e(2) Miss

Last Minute Pleas Fail To Save Victim

JASKSON, Miss.—(SNS)—All eleventh-hour pleas to save Willie McGee from the electric chair failed Monday. And Governor Fielding Wright, the one person empowered to grant a stay of execution, flatly refused to intervene. Thus at 12:07 midnight, long resisted death was pronounced.

had been tried three times on alleged rape of a white woman at Laurel, Miss. on the night of November 2, 1945. McGee's fingerprints and the statement of the alleged victim were the main support of the prosecution's case.

Earlier Monday night Federal Judge Stanley Mize refused to halt the scheduled execution of McGee. The civil suit was filed by McGee's lawyers against State Attorney General J. P. Coleman and several other state and county officials who prosecuted him.

Attorneys announced immediately on hearing Judge Mize's refusal to intervene that they will appeal to the Fifth Circuit Court of Appeals in New Orleans and may carry the case to the U. S. Supreme Court. But the Fifth Court of Appeals Judge Wayne G. Borah refused in New Orleans to halt the scheduled execution only about 90 minutes before it was to have taken place.

Attorneys for the 36-year-old condemned man turned to the Fifth [illegible] on the grounds that McGee was prosecuted and convicted in violation of the Civil Rights in that the prosecution used perjured testimony and an unlawful confession." The Judge's decision to dismiss the suit took him one hour and 50 minutes to read.

McGee has been saved from the electric chair six times.

Willie McGee: The Symbol

Willie McGee is dead. He died shortly after midnight Monday following dramatic last-minute pleas by his lawyers to save him from Mississippi's portable electric chair.

Governor Fielding Wright, in refusing a stay of execution, played right into the hands of the communists, who forced themselves into the case and stiff-armed both the National Association for the Advancement of Colored People and interested white friends out of the case. We think the Governor made a serious blunder by permitting McGee's execution under so big a cloud of doubt. But there are many white and colored Mississippians who believed that McGee was not given a fair trial. "I don't think McGee is guilty of rape," declared a white Mississippian, "but since he is hooked up with the communists I don't think he should be given another trial." That is the key to the secret of his death in the chair. And that is what the Communists really wanted.

Intelligent Negroes of course, understand fully what this means. They know that communists are not sincerely interested in the improvement of their lot as Negroes but that they are out to exploit their injustices and their miseries. They know the communists do not enter these cases to help them but to fatten their pockets to propagandize their campaigns. They know that of the $200,000 raised by the communists for the Trenton Six, less than 20 per cent was spent on the case and that the rest was pocketed by the communists. But it is expecting too much out of a backward Mississippi Negro man to know all these things. Thus McGee's wife was sucked in and taken about the country to tell the story of her husband. It prejudiced the case.

Now the communists can promote this propaganda among our allies and weaken our prestige abroad. They can popularize the notion that a Negro cannot secure justice against a white person in Mississippi. And it is a convincing argument for any propagandist to say that although McGee was electrocuted for rape while a Mississippi court has never condemned to death a white man for a similar offense. And that to us, no less than to the communists, is cock-eyed justice.

27e(2)

British Workers Appeal For McGee

LONDON, England — Factory workers, students and printers have joined hundreds of thousands of people all over England in cabling President Truman expressing their horror at the scheduled execution of Willie McGee, Mississippi Negro worker sentenced to die on a frame-up rape charge.

The Fleet Street Printers cabled from London describing the sentence as "savage racial discrimination." Three hundred sheet metal workers employed at British Light Steel Pressing have wired Gov. Wright of Mississippi "In the name of humanity, we demand the release of McGee."

Other messages urging a new trial for the innocent Negro worker have been sent by 112 students at South-East Essex Techinical College, Dageham, furniture workers employed by the London firm of Harris Lebus Ltd., and [illegible] many groups of men and women in cities throughout Britain.

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The Civil Rights Congress, which has led the legal and public campaign to save McGee for the last five and a half years, also reported the following developments in the world-wide drive to stop McGee's execution:

In Baltimore, Maryland, a committee for the Aboliton of Injustice, under the leadership of Rev. A. F. Lemon of the Pentcost Baptist Church, has pledged as one of its major goals the fight to save Willie McGee.

In Asheville, North Carolina, 350 white leather workers, all members of the International Fur and Leather Workers Union, have joined the fight to save McGee and have contributed $100 for the McGee campaign.

More than 5,000 fellow members of their union in Camden, Newark, Philadelphia and New York, have taken part in work stoppages to protest the scheduled execution of Willie McGee During these stoppages, 15,000 signatures to petitions calling for McGee's pardon were collected in shop areas.

From Paris, France, word has come that the Association of Martinque Students has sent a letter of protest against the McGee death sentence to the American Ambassador in Paris.

Novelist Albert Camus, and playwright Marcel Achard have added their voices to the hundreds of cultural figures all over France who are outraged by the McGee sentence.

Three more union locals of the International Woodworkers of America, CIO, in the state of Washington, have urged action by President Truman to save McGee from a rape frame-up death in Mississippi. The locals are 46 in Bellingham, 75 in Sedro-Wooley and 90 in Port Angeles.

In Detroit, the local Trade Union Committee to Save McGee has announced support for a mass delegation of people's representatives which will go to Lansing, Michigan's state capital, on Wednesday, May 2nd to seek the intervention of Gov. Williams and the State Legislature on behalf of McGee. Mrs. Rosalie McGee, wife of the condemned man, will head the delegation.

MISSISSIPPI

Justice & the Communists

To Communists all over the world, "the case of Willie McGee" had become surefire propaganda, good for whipping up racial tension at home and giving U.S. justice a black eye abroad. Stirred up by the Communist leadership, Communist-liners and manifesto-signers in England, France, China and Russia demanded that Willie be freed. The U.S. Information Service in London, worried by English concern about the case, released an official statement of the facts. Not only Communists took up the cry. In New York, Albert Einstein signed a newspaper ad protesting a miscarriage of justice. Mrs. McGee, a captive of the Communists, addressed party rallies, staged an "all-night vigil" in front of the White House.

Lester Bass

WILLIE MCGEE
The facts were distorted.

June 5-14-51

The Communists, as usual, had managed to distort the case. The facts:

On Nov. 1, 1945, Mrs. Troy Hawkins, 32, the wife of a Laurel, Miss. postal worker, was up most of the night with her small daughter, who was ill. It was 4 a.m. when Mrs. Hawkins finally snapped off the light and dozed off with her arm around her daughter. She was awakened by a man crawling up to the bed in the darkness. According to her testimony, after threatening to "cut your goddamed throat if you holler," the intruder raped her and fled.

Important Clue. To police, Mrs. Hawkins could only describe her attacker as a Negro who had been drinking. But a neighbor came forward with a significant clue. At about 4:30 a.m., she had seen a Negro drive away in a grocery truck which had been parked near the Hawkins home. A truck had been reported missing by a grocery firm, along with Driver Willie McGee, who also had $20 of the firm's money. An alarm was sent out for McGee, a wiry, 31-year-old father of four. He was arrested the next afternoon and, according to a deputy sheriff, confessed to the attack. Two Negroes were found who said they had been drinking with McGee until 3 a.m. on the morning of the crime.

After a day-long trial, a jury took only 2½ minutes to find McGee guilty, and he was sentenced to death in the chair. But the Mississippi supreme court reversed the conviction on the ground that McGee had been tried in so electric an atmosphere that state Guardsmen with fixed bayonets had patrolled the courthouse to prevent trouble.

McGee got a change of venue and a second trial, 30 miles away in Hattiesburg. Again he was sentenced to death. Again the sentence was reversed, this time on the ground that Negroes were excluded from grand-jury lists. By the third trial, the Communists were in control of Willie McGee's defense, and they submitted a new and ugly accusation: McGee had been intimate with the woman for several years and had been framed because he tried to break off the relationship. In the small (pop. 20,000) town of Laurel, there was utterly no evidence of such a relationship; and a physician had testified that Mrs. Hawkins had been raped. Willie McGee was again sentenced to death. The Mississippi supreme court, calling the charges against Mrs. Hawkins a "revolting insinuation and plainly not supported," denied a third appeal. Willie McGee had not taken the stand in his own defense in any of the three trials.

Petitions. All last week, petitions to save Willie McGee's life poured in on Dixiecrat Governor Fielding Wright. Many an honest person who recognized the Communist tactics also urged clemency for McGee. Fundamental point in their plea: no white man has ever been executed for rape in Mississippi.

Willie McGee had received two reprieves from Supreme Court Justices, but now the court turned him down. He shuffled into the same courtroom in Laurel where he was first tried, and sat down in Mississippi's portable electric chair. The powerful generator that supplied lethal current to the chair whined away. Within a few minutes, Willie M was dead.

Say Willie McGee Talked To Press Before He Died

27e (21)

Afro Am 5-25-51

New York—A rather strange statement, purported to have been given by Willie McGee, before he was electrocuted in Jackson, Miss. on the charge that he had raped a white woman, was released the past week by the Civil Rights Congress which has been accused of being a "Communist front."

According to the CRC Willie McGee hesitated until a day before he was electrocuted to give any statement to the press but it is reported what he said at the time he did talk to the press was printed just as he gave it.

McGee in his death statement claims he had been intimate with the woman, by her own consent. A part of what McGee said was as follows:

Being born in the South, I know the laws and that when a Negro, myself, being caught in this, having connection with a white woman, that I was certain to a death penalty. So it is not the crime when a person gives you consent and you by all means try to get away. It is a case of something you can't and won't do. I did not have the chance to state to the courts my case for the simple reason that my attorneys were afraid to bring these things out, having witnesses and proof that the statements I gave you are true and correct."

5-25-51

McGee said the woman he was accused of raping often had taken him "out Jefferson Street (in Laurel, Miss.) to the Negro Cemetery, bringing me back at the same place; I would get out of the car, a 1937 Ford. I would go home. Just anytime she would want something done she would come to the house and get me. My wife got suspicious. We were coming from a show at the Strand, from Frost Street in front of the Coca Cola bottling plant. She parked. I knew the car. Me and my wife walked to about Eastman's office. She pulled up beside us and tried to get me to go with her____My wife said what does this mean? I caught hold of her and walked on.

27e (21)

"Every time you hear about rape it isn't true. It is impossible. It is not true that a man breaks locks and tears windows out___with a man and baby in one room, in the house at the time. A crazy man wouldn't do that. I leave it up to the jublic to decide___The record shows that she (the white woman) even refused to identify me, that she never saw me befor."

The CRC says the statement by McGee appeared in the Jackson (Miss.) daily News of May 8, 1951.

McGee was electrocuted early in the morning of May 8th.

M'GEE VICTIM TO SUE

27e (21)

Will Ask $1,000,000 For Defamation Of Character

JACKSON, Miss., July 2.—(UP)—The white victim of Negro rapist Willie McGee Monday said she would file a $1,000,000 defamation of character suit against the Communist Party which had allegedly financed McGee's defense.

McGee, 38-year-old Laurel, Miss., Negro, was electrocuted last May 8 for criminally assaulting a white Laurel housewife in 1945. His case attracted worldwide attention during the six years of litigation and drew letters and telegrams of protest from all over the world, including several from Russia.

Commercial Appeal 7-3-51

The suit will be filed in Federal Court in New York. Ross Barnett, a Jackson, Miss., attorney, will represent the plaintiff.

In announcing the suit here Monday, the assault victim said:

"I have endured endless mental torture rfom these persons. They have defamed my character and honor. I feel they should be called on the carpet of justice for their lies and insults against me nad all Southern women."

8267

SEE LONG PERIOD OF TREATMENT FOR CHILD VICTIM OF RAPE BY 48-YEAR-OLD WHITE MAN HERE

Prominent Local White Women To Aid Negro Womanhood Defense Committee

Grand Jury Makes Indictment Wednesday

27e(2)

JACKSON, Miss., June 13.—(DSN)—The 14-year-old Negro girl victim of rape by a 48-year-old white man here two weeks ago was returned to the hospital Friday.

Advocate

The child, who was left in a critical condition both physically and mentally by the brutality of the rapist, was taken to Jackson College for treatment on the day of the rape where she remained under treatment until last Wednesday. Taken home by her parents she became worse and is reported to have suffered periods of hysteria. On Friday she was taken to the Copeland Hospital, where it is reported her parents were advised that she will have to undergo a long period of treatment.

Miss

Dat. 6-16-51

Jackson, Miss.

The father of the child is an honorably discharged veteran of World War II. She is the oldest of five children of which the youngest is only five weeks old.

There were indications here this week of early action on the case by the Hinds County Grand Jury which convened here Wednesday morning after being called back [illegible] session by Judge McGowan, who hinted that the case would be considered by the Grand Jury along with several other similar cases.

Advocate

The child was taken to the court house in an ambulance Wednesday morning in order to appear before the Grand Jury. She had already positively identified the white man in a police line-up on the day following the crime.

6-16-51

On Friday following his arrest the 48-year-old white man confessed to police that he had raped the 14-year-old Negro girl.

Spurred by the fact that this was the third case in Jackson and Hinds County in recent months where low teen-aged Negro girls have been raped by white men, and none of them having even been brought to trial, prominent Negro women of Jackson have organized the Negro Womanhood Defense Committee, whose purpose is to raise money, and do everything else possible to bring about the prosecution of the white man in this case. The first act was to call a city wide mass meeting at Pratts Memorial Methodist Church on Monday night following the crime. A second meeting was held at Farish Street Baptist Church last Monday night.

Other meetings have been scheduled at various churches in the city.

Realizing the difficulty in obtaining white lawyers to represent Negroes in such cases, and the heavy fee that must be paid whenever it is possible to obtain a [illegible] the group has set a goal of $10,000.

At the meeting at Farish Street Church Monday night the amount on hand was approaching $1000 with collection set for many of the churches in the city Sunday expected to swell the amount considerably.

27e(2)

There was also reported at the meeting Monday night that a number of groups in towns and communities outside of Jackson were raising funds to be turned over to the Negro Womanhood Defense Committee.

Miss.

Mrs. T. C. Almore, president of the committee, said at the meeting that their group had been promised aid and cooperation by a number of the most prominent white women in the city.

In answer to the question of why the women thought it necessary to raise money to aid in the prosecution in this case, Mr. A. J. Noel, a member of the advisory committee, said when a white man rapes a white woman he is punished, when a Negro man rapes a Negro woman he is punished, and when a Negro man rapes a white woman he is punished, but we have not seen a white man here punished for the rape of a Negro woman.

Those who want to make a donation to the Womanhood Defense Committee may do so by sending their donations in the name of the committee to the treasurer, Mrs. Doris Tharp Hall, 131 East Church Street, Jackson, Miss.

White Man Here Denies Rape; Trial Called Wednesday

27e(2)

A special venire of 50 prospective jurors who have been called to meet in Hinds circuit court Monday, along with 36 regular veniremen, may be used in selecting a jury for the case Wednesday of Hugh L. Morrow, local white carpenter, who is scheduled to go on trial for the rape of a 14-year-old Negro girl.

Daily

Morrow pleaded not guilty when arraigned here Thursday. The special venire was requested by Attorneys Ernest Shelton and V. J. Stricker, Jr.

The 48-year-old white man was indicted at a special recalled session of the grand jury here.

The girl, in her statement to officers, said she was picked up by the white man at her home on Banks street on the pretense that he wanted a baby-sitter because the family was going fishing. She related, officers said, that he took her out Highway 80 west of the city to Wiggins road and then drove onto a field road over four and a half miles from the city where the assault is alleged to have occurred.

Dat. 6-12-51

Morrow admitted the assault, officers said, but claimed that he did not forcibly "rape" her. He said, according to officers, that he brought her back near her home and let her out of the car.

The girl, who was given emergency treatment by a Clinton doctor, has since been reported as admitted to Jackson College Clinic. She came before the grand jury on a stretcher on Wednesday.

A fund-raising campaign among Negroes, seeking $5,000 for aid to prosecution and to the girl and her family, is underway here.

Court To Call Traffic Death Trial; Issue Special Venire For Rape Case Here Monday

27e(2) Miss

The case of Cary J. Chambliss, Negro indicted for manslaughter in the April 29, 1950, traffic death on N. State and Belhaven streets here of Miss Penelope Sheppard, Belhaven student, is scheduled for call in Hinds circuit court Monday.

Chambliss was the driver of the car which collided with one occupied by Miss Sheppard and several other persons.

Jackson

The court also on Monday may issue a special venire of 50 for the case of Hugh L. Morrow, white carpenter indicted for rape of a 14-year-old Negro girl. Morrow's case has been docketed for call on Wednesday.

Daily

A special venire, in addition to 36 regular jurors, called for Monday has been drawn by Judge M. M. McGowan.

News

Morrow is represented by Attorneys Ernest Shelton and V. J. Stricker Jr.

He was indicted for rape of a young Negro girl who told officers that she was picked up at her home on Banks street and taken off Wiggins road, four and a half miles west of the city, where the assault is alleged to have occurred.

Morrow in a statement to officers admitted the assault, but claimed he did not forcibly "rape" her.

Dat. 6-17-51

A fund-raising campaign among Negroes is underway, seeking $5,000 to aid in prosecution and for the girl and her family. The girl is reported as being in Jackson College Clinic.

Morrow pleaded not guilty when arraigned here Thursday. He is confined to Hinds county jail without bond.

He is reported as being under treatment by two doctors for hypertension of the heart and a back ailment for which he has worn a brace for some time.

White Man Held In Rape of Negro

JACKSON, Miss., June 13—(AP). A 48-year-old white man was indicted by the Hinds County grand jury Wednesday on charges of raping a 14-year-old Negro baby-sitter.

Constitution

The indictment was against Hugh L. Morrow, middle-aged carpenter, who has been in Hinds County jail since the rape victim identified him.

Dat. 6-14-51

Sheriff Albert Jones said the girl told him Morrow hired her to take care of the Morrow children while he and his wife went fishing. Instead of taking her to his home, the sheriff quoted her, Morrow drove to a lonely gravel road on the edge of town and attacked her.

Atlanta, Ga.

27e(2)

Jones said Morrow has signed a written statement concerning the attack in which he admitted assaulting the girl.

Miss

It is the second time in recent months that white men have been indicted for raping Negroes in Mississippi.

Police Arrest Two White Men For Assault On Girl

Daily World Sat. 6-16-51 Atlanta, Ga.

BATESVILLE, Miss—(SNS)—As a result of an asault on a 12-year-old Memphis Negro girl, two Memphis men have been arrested in Batesville on the charge of statutory rape. The assault was said to have occurred near Courtland Park last Thursday night.

The men booked as Augusta Woody McGarrh, 28, of 1056 Pierce, and Glenn McCain, 29, 381 S. Waldrah. Sheriff E. B. Wilson revealed that the men were arrested by Memphis police Saturday and Sunday.

27 e (2)

After waiving a preliminary hearing in the court of Justice of the Peace W. T. Westmoreland, the two men were bound over to the Panola County Grand Jury which is scheduled to convene in October. Neither man was able to post the $3,000 bond.

Miss

The charge of statutory rape includes the assault on a female under 18 years of age—the charge is valid if the victim sanctioned the act. Should the child be under 12 years of age, the penalty can be either a death sentence or life in prison.

Should the victim be between 12 and 18, as in this instance. the penalty can be either a $500 fine or five years imprisonment. For the use of drugs or other similar materials to carry out an assault, the criminal can receive the death sentence or life in prison.

Athough the men at first denied assaulting the 12-year-old child, Sheriff Wilson reconstructed the crime as follows: On last Thursday evening, the two suspects, McGarrh and McCaine, went to the home of the victim. They asked that the child be allowed to baby-sit with McGarrh's children since his wife worked at night and the three children were left alone.

The child's mother consented to let her go and the three went out to the automobile. The child. who is in the eighth grade and tall for her age, was secreted in the trunk, according to her testimony.

After they had gotten her across the Mississippi State line, the two men transferred her to the front seat. She testified that the men purchased some liquor and continued out Highway 51 near Courtland—about six miles south of Batesville. Stopping the car in an abandoned pasture, the two men took her out of the car and forced her to drink some of the liquor.

Both men, according to the victim's account, then assaulted her. When the two men became engrossed in an argument, she said that she effected her escape and hid in some tall weeds until the men drove off.

After waiting for a while to make sure her attackers had gone, she then started walking toward Batesville on Highway 51. She attracted the attention of a taxi drived who drove her to Batesville and gave her $1.25 for bus fare back to Memphis.

According to the victim's mother, the child left home about seven Thursday evening and didn't return home until 3:30 Friday morning. She further stated that the child had not acted as a baby-sitter for either of the men before.

On Tuesday, the girl was accompanied by her mother and police officers to the scene of the assault and recounted the details of the attack.

Police Arrest Two White Men For Assault On Girl

27 e (2) Miss

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6-15-51

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Grand Jury Indicts White Man in Rape Of Negro Girl, 14

27 e (2)

JACKSON, Miss. — (ANP) — A white man, Hugh L. Morrow, local carpenter, was indicted here last week for the rape of a 14-year-old Negro girl.

In the meantime, Negroes have formed a group called Mississippi Womanhood Defense committee to protect Negro women from attacks by white men. [illegible] first drive will be to collect $5,000 to help prosecute Morrow and to help the victim's family.

6-23

During the grand jury hearing, the victim of the attack was rolled into the jury room on a stretcher. She told the investigators that she was at home when Morrow told her his wife wanted a baby sitter.

Instead of going to his home, she said, the white man took her on the Wiggins road west of Jackson and attacked her.

Morrow according to Sheriff Albert Jones of Hinds county already has confessed that he attacked the girl, but claims it was not "rape". He is now being held in the county jail without bail.

27e(2) 1951 Mississippi

8268

A YELL WENT UP AS THEY DROVE AWAY WITH WILLIE'S BODY

There was mumbling and laughter throughout the night as a crowd gathered in Laurel to await the death of Willie McGee. But the general yell went up (a moment after the above picture was snapped) as the black hearse (center of crowd) drove away with the body of Willie McGee. (Daily News staff photo.)

CLIMBS A TREE TO SEE DEATH OF WILLIE McGEE

C. D. Hill, 70-year-old Laurel plumber (top of tree), climbed a 50-foot cedar on the Jones county courthouse lawn to witness the electrocution. The unidentified youngster (below) returned to the ground before the electrocution was carried out. Over 100 witnesses were in the courtroom but Hill was the only "outsider" to witness the death. (Staff photo by W. C. Shoemaker.)

MIZE MAKES MASTERFUL ORAL OPINION IN CASE DENYING McGEE MERCY

By JOHN HERBERS

"Society is entitled to protection of the law as well as the criminal."

"As a matter of law the petitioner (Willie McGee) is a criminal and has no civil rights. No defendant has had more exhaustive hearings than McGee."

"The time has arrived when courts ought to rise up and defend themselves."

"There must be an end to litigation."

5-8-51

These were some of the statements that stung fidgeting McGee attorneys and kept a packed court room attentive for two hours late Monday as Federal Judge Sidney Mize sternly denied the thrice convicted Negro rapist a stay of execution.

Jackson

In a stirring decision on a last-minute civil injunction action, Judge Mize said the court had "the power" but not the "legal right" to grant a stay.

Miss

"The petitioner is now a criminal and can now be called a criminal," he said. "He has been convicted in a fair trial and has had every opportunity."

The McGee counsel, he said, contends this is an emergency. "But the emergency was brought on by the petitioner by failure to file this complaint probably years ago. Everything brought out here has been known since 1948."

"Every point presented here has been argued before a court of competent jurisdiction or could have been. All points were passed on and decided against the petitioner."

Then he reviewed the long history of the case dating back to November 1945 through the three convictions and numerous hearings and appeals.

The hearing started at 1 p. m. and ended shortly after 7 p. m.

Mrs. Bella Abzug of New York, attorney for McGee, and Ernest Goodman of Detroit, her assistant, were noticeably chafed during Mize's long and detailed decision.

Mrs. Abzug had said during a recess that attorneys were standing by in New Orleans and New York to appeal to highest courts if Mize refused the stay.

"I consider this a serious question filed under the civil rights statutes," Mize said at the start.

But McGee, he said, had been served by "able counsel" throughout and at no time had McGee taken the stand and subjected himself to cross examination.

Among other allegations, McGee's attorneys said he had been convicted on perjured testimony, and had made confessions under coercion.

But Attorney General J. P. Coleman had entered sworn affidavits from witnesses stating that these charges were false.

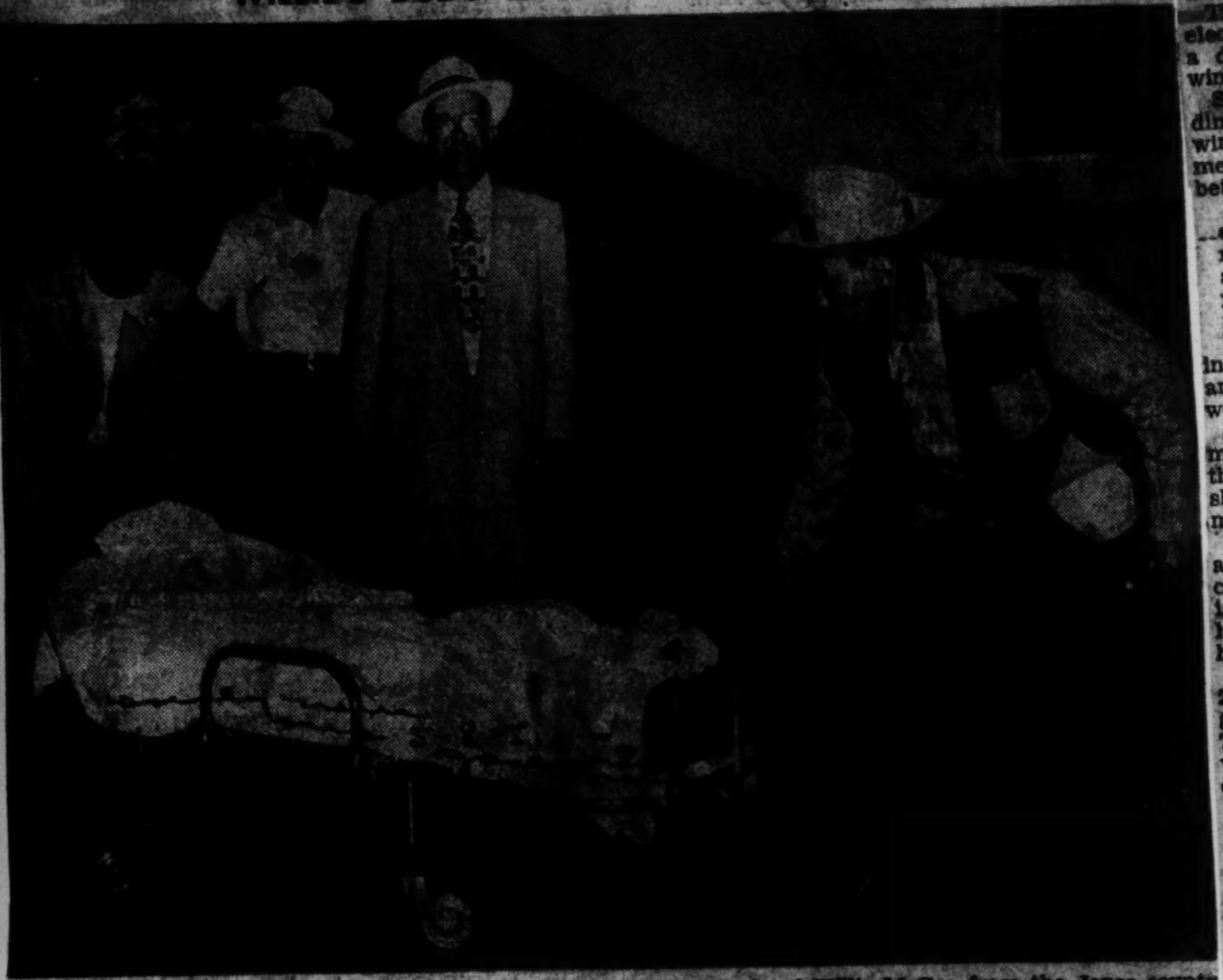
"These statements were made by responsible officials," said Judge Mize.

McGee's attorneys had declined to present evidence but chose "to stand on the record of the complaint."

The packed courtroom grew markedly more tense as the hearing stretched on and time for execution drew near. Spectators squirmed through legal verbosity as Coleman and Mrs. Abzug argued their cases.

And the tension was still there when the hearing ended. Willie McGee was on his way to Laurel but everyone knew his sympathizers would continue to appeal, right up to the last minute.

WILLIE'S BODY LEAVES THE COURTHOUSE



Seemingly frightened Negro funeral home attendants cart the body of Willie McGee from the Jones county courthouse in Laurel at 12:30 a. m. Tuesday. Officers (background) helped push the waiting crowd back. (Daily News staff photo by Jimmy Ward.)

His Last Moments

Willie Brave In Life But He Shed A Tear As Electricity Took A Toll

Daily News

5 8 51

By JIMMY WARD

LAUREL — (Special) — Willie McGee still had a cocky air about [illegible] he took his seat in the electric chair. But he died with a tear in his eye.

Almost bravely, almost defiantly he walked to that chair — acting like perhaps he might yet be spared again. You had to look closely to find that Willie McGee showed emotion in his final moments of life.

Jackson

Death bolted swiftly through his body beginning at 12:05 a. m. as the chair rocked backward and the generator outside groaned with an extra load.

News

Just before the current was applied, Willie's elbows quivered—both of them. If his face, too, showed emotion, no one saw it. His face was enclosed in a [illegible] black mask.

Willie went to his death in the same courtroom where he was twice tried for raping a white woman here in Laurel.

The executioner moved the table where he had sat both times as a defendant to place the electric chair where Willie was to sit as a doomed man.

Here is how the 37-year-old Negro came about his disgraceful death:

He arrived in custody of Sheriff Steve Brogan and two deputies at 10:05 p. m. as [illegible] milled about the Jones county courtyard. They were orderly, some talking in low tones; teen-age boys did some laughing and there [illegible]

[illegible]

Willie had [illegible] the [illegible] ready to [illegible]

[illegible] confined to the Jones county jail, a highway patrolman stood on the [illegible] steps on the south side of the jail and shouted:

"Let's everybody be nice."

Everybody [illegible] as he said that Willie was going to die.

"We want no demonstration. You have been patient a long time."

A short time later a bald-headed Negro, Alex Spencer, walked swiftly through the courtroom. He carried a valise in his right hand. He was a barber and you could smell hair tonic. Escorted by two grim-faced deputies he went into the jail. He was to shave Willie's head.

He walked past a man who was [illegible] of the white woman Willie was convicted of raping. [illegible] his [illegible]-in-law. They stayed until the electrocution was over.

At 11:4[illegible] p. m. the barber came back. He paused this time to look at the chair in front of the judge's [illegible] walked on without saying a word.

[illegible] electrocution was not far away and a dozen men walked to the east windows of the courthouse.

Soon they saw a half a dozen dim shadows pass by barred jail windows, then turn beneath a steel mesh that covered the passage way between the jail and courtroom.

Willie, with his head shaved, entered that room at one-half minute past midnight. He wore a green shirt, grey trousers, yellow and tan socks, tan bedroom slippers.

By 12:03 a. m. he was strapped in his seat. By 12:04 those belts and black fittings about his face were adjusted again.

W. T. Patterson, a Negro Baptist missionary minister, stood before the masked figure undecided if he should read from the small testament he held.

C. W. Watson, the executioner, and John Laird, custodian of the chair, helped the bald-headed minister make up his mind. Laird looked at his watch and Watson hit the switch.

Watson moved the dial. He set 2300 volts for 45 seconds; then he gauged 1100 volts for 45 seconds. The two officials talked as while with two physicians, Dr. P. C. Risher and Dr. S. F. Carr.

They loosed Willie's green shirt and the doctors listened for a heartbeat with their stethoscopes. They shook their heads.

Willie's mask was removed. His eyes were shut, his mouth was wide open. Dr. Risher [illegible] a tiny flash light. He looked [illegible] the Negro's eyes for a sign of death. His body was rigid, his fingers curled. Then a tear trickled across the right side of his black, still face.

At 12:10 a. m. Willie McGee was declared dead. Many of the 100-odd witnesses gathered around the judge's bench and the electric chair. At 12:14 the generator outside was shut off and the 91st person had died in Mississippi's electric chair.

While the witnesses waited for the Negro undertakers, Alex Spencer, the barber, repeated some of Willie's last words he spoke while writing letters and smoking a cigar as his head was shaven.

Spencer said Willie said:

"I got all my business fixed. I'm not worried at all. Willie's ready to go."

The Rev. Patterson said Willie would be buried Tuesday at Pachuta in a grave beside his father. The preacher said Willie gave him some letters, a check and some money for his wife who is in New York.

5-8-51

The undertakers took Willie from the courtroom, down the stairs and into the waiting crowd outside. As the sheet covered corpse passed through the jammed doorway a man asked:

"How do you know this isn't a dummy?"

A newspaperman said: "You may take my word for it."

Many jammed around the hearse to look at Willie and as the black vehicle drove away there was the biggest yell of the night from some of the 500 people.

It was the close of a long, tense legal fight styled The State of Mississippi versus Willie McGee.

Warren Rape [illegible] Set For Trial Monday

27e(2)

Miss

VICKSBURG — (I) — The case of Lonnie Bevell, one of two white men charged with the rape of a Negro woman, Thursday was set for trial Monday in Warren county circuit court.

Bevell and John R. Stroud, both of Batesville, Miss., are charged with assaulting the woman in the Eagle Lake community last New Year's Eve. Stroud's trial will be held at the conclusion of the Bevell proceedings.

7-5-51

The defense in the Bevell case requested that a special venire of 40 men be called in addition to the regular [illegible].

State Senator John R. Culkin has been employed to assist in the prosecution, it was announced.

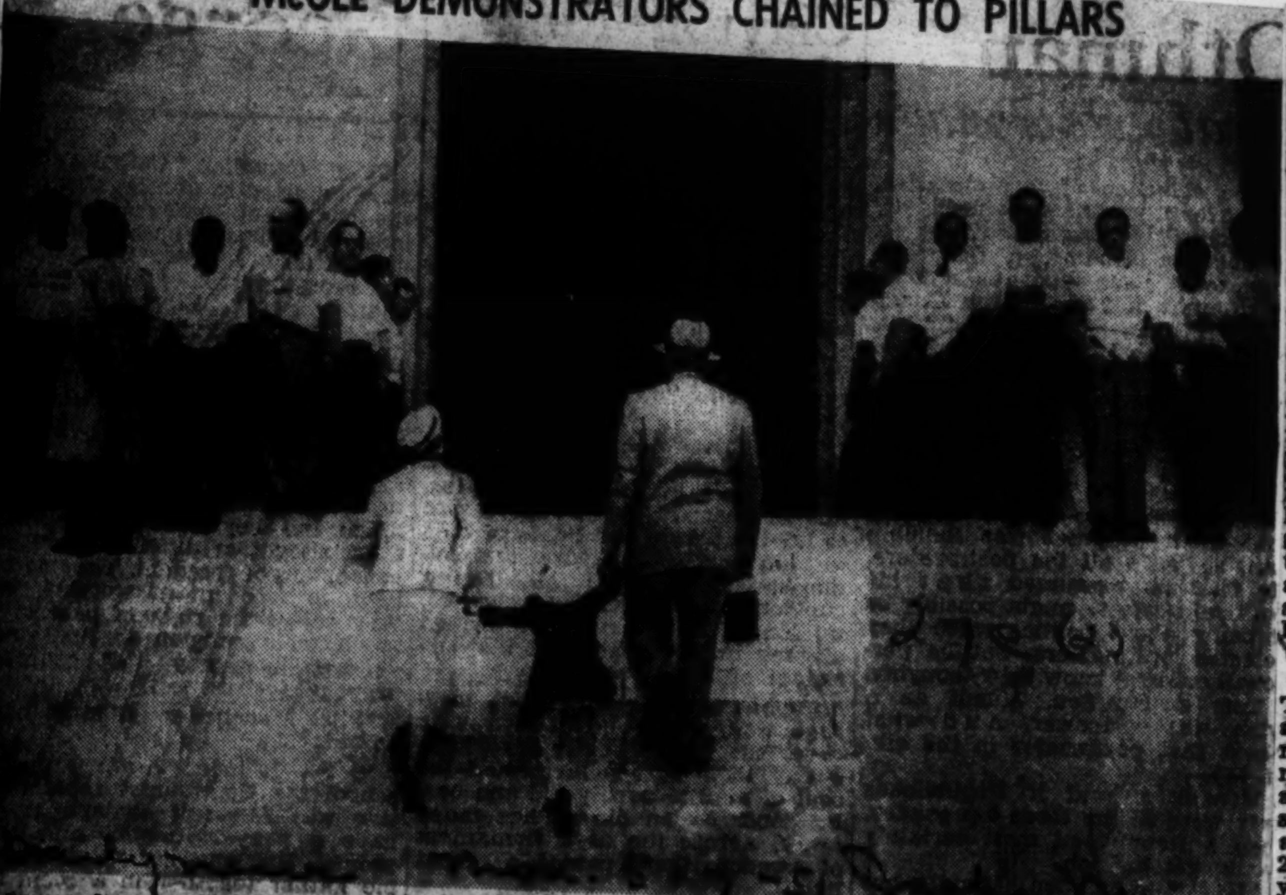
Jackson

27e(2) 1951

Mississippi

8269

McGEE DEMONSTRATORS CHAINED TO PILLARS



A group of men with "Free Willie McGee" printed on their shirts stand chained to pillars of the Lincoln Memorial in Washington Sunday as sightseers (foreground) climb the marble steps leading to the Lincoln statue. The men, who said they represented the "War Veterans Committee to Save Willie McGee", remained chained to the pillars for some two hours before a fellow demonstrator produced keys and freed them. McGee, a condemned Negro, is scheduled to be executed in Mississippi tonight after midnight. He was convicted on charges of raping a Laurel housewife. (DAILY NEWS AP WIREPHOTO)

Governor Bars NAACP From McGee Hearing

NEW YORK — A request of the NAACP to appear at a hearing in Jackson, Miss., on behalf of Willie McGee, sentenced to die on May 8 on a rape conviction, was denied by Governor Fielding L. Wright, Thurgood Marshall, NAACP special counsel, said this week.

Mr. Marshall had asked permission to designate the association's southwest regional counsel to represent the NAACP at the hearing, which was held May 5. He was informed by the Mississippi governor that the hearing would be "limited to attorneys of record" and would not be extended "to cover other persons."

In response, Mr. Marshall sent the following telegram to Governor Wright:

"We sincerely regret inability to present our views and arguments on behalf of our constitutional and American principles of equal justice. From our investigation, it is apparent that whereas laws of of Mississippi provide for death penalty in rape cases, death penalty is in fact only given to Negroes. This unequal application of Mississippi laws is not in keeping with American idea of equal justice vouchsafed by our Constitution. Hope that this view will be considered in clemency hearing."

McGee was convicted in 1945 of the rape of a white woman. His case has been repeatedly appealed through state and federal courts to the United States Supreme Court, which refused to review it. Four different execution dates have been set for McGee.

The LOW DOWN
ON THE
HIGHER UPS
By... FREDERICK SULLENS

Let it be said to the everlasting credit of our Southern Negroes that they showed no excitement over the Willie McGee case. They seemed to realize that the whole fight was not centered about the guilt or innocence of the rapist, but a vicious and vindictive effort of the Communist party to create disrespect for law and order in this commonwealth. Negro leaders were quick to see that no question of civil rights was involved. Both reason and instinct told them that if Communism ever gets a footing in this country no person, white or colored, will have any rights. Under Communist rule even a Communist leader can be betrayed and sent to torture or death without trial. On that let no one be deceived. Willie McGee had more than five years in which to prove his civil rights were invaded. Lawyers highly paid by Communist organizations helped in the attempt to do so and finally failed after they had resorted to every shady trick and devious method known to the law to do so.

* * *

The Mississippi department of The American Legion is waging a lively campaign to put its membership above the 30,000 mark before the annual meeting at Biloxi in July. Latest figure shows the membership roster at 28,090 as compared with 27,891 on the same date last year. Nearly 100 local posts are over the top with their membership quotas.

* * *

M'GEE DEATH STAY ASKED IN 11TH HOUR

Petition for Mississippi Negro Is Taken to Home of Justice Black at Alexandria, Va.

JACKSON, Miss., May 7—Supporters of Willie McGee, Negro thrice convicted and thrice condemned for the rape of a white woman, fought an eleventh hour legal battle tonight to save him from execution. He was scheduled to die in the electric chair at Laurel, ninety miles from here, at 12:01 A. M. tomorrow, 2:01 New York time.

Federal District Judge Sidney Mize held a hearing this afternoon on a civil suit filed by McGee's attorney Saturday charging that his civil rights had been violated and seeking stay of execution.

[At 8:40 P. M., New York time, according to The United Press, Judge Mize decided that he had no right to issue a stay of execution.]

The United States Supreme Court has three times refused to review the case, but defense attorneys petitioned that court late this afternoon to halt the execution. They pleaded that unless the Supreme Court intervened McGee might be executed before actions pending in lower courts were disposed of.

The petition was ttaken to the Supreme Court by Vito Marcantonio of New York, former United States Representative, and James T. Wright, Washington attorney.

Papers Sent to Black

Justice William O. Douglas heard the attorneys and at 7:30 P. M., Eastern Daynight time, referred their petition to Justice Hugo Black, who has jurisdiction over such matters in the judicial circuit involved.

A court clerk took the papers to Justice Black's home in Alexandria, Va. Mr. Marcantonio said that if Justice Black denies the request for a stay it would be taken to Chief Justice Fred M. Vinson.

Justice Black granted a stay March 20 pending final action by the Supreme Court on an appeal then pending before it. This appeal was subsequently rejected by the court.

The McGee case, hanging in the courts since the rape of a Laurel housewife in November, 1945, gathered aspects of larger issues than the execution of a rapist.

Justice Harvey McGehee of the Mississippi Supreme Court, in an interview March 26, said that McGee's supporters "have used this case for propaganda purposes to stir up racial strife and to attempt to destroy the faith and confidence of the American people in their judiciary."

Justice Black, on March 16, rebuked persons deluging him with telegrams. "The courts of the United States are not the kinds of instruments of justice that can be influenced by such pressures," he declared. Gov. Fielding Wright of Mississippi asserted that many of the thousands of telephone calls, telegrams and letters he had received urging clemency were Communist inspired.

The tempo of efforts to save McGee increased as refusal of appeals brought the time of his execution closer. Demonstrations accompanied the legal endeavors.

Last Saturday forty-two demonstrators were arrested here as Governor Wright conduoted a hearing on a plea for executive clemency. The demonstrators were charged with conspiracy to obstruct justice and then released on their agreement to go home. Many were from other states.

Governor Wright told attorneys for McGee late today that he would not take any action on their clemency plea until Judge Mize had ruled on their application for an injunction to halt the execution.

"You have taken the matter out of my hands," the Governor told Mrs. Bella Abzug in a corridor of the Federal building.

"I gave you a hearing and was to have rendered a decision in the case. But you rushed out of my office to Federal Court. I don't consider that the case is in my hands now. I'll have to await a decision of the court."

Last Saturday also fifty-four demonstrators chained themselves to pillars of the Lincoln Memorial in Washington as others chanted slogans urging McGee's release. The group broke up before any arrests were made.

Today some twenty-five sign-carrying pickets paraded in front of the White House. Negroes and whites were among the picketers. Some of the signs read "Old soldiers never die—but lynch victims do" and "You fired MacArthur—now fire Jim Crow."

Pleas Fail To Spare His Life

Goes To Electric Chair Calmly After Sixth Conviction

By PAT J. McDONNELL

LAUREL, Miss. — (INS) — Willie McGee, Mississippi Negro convicted of raping a white housewife, died in the electric chair at Laurel early Tuesday despite frantic legal efforts to spare his life for the seventh time in six years.

The 36-year-old McGee — executed in the same courthouse where he first was convicted in 1945 — was pronounced dead at 12:08 a.m. (CST).

Officers said McGee was silent and "steady as a rock" as he entered the death chamber — a courtroom in which the electric chair had been installed — and smoked a cigar until seconds before his death.

5-11-51

The execution was watched by the [illegible] victim's husband, brother and two brothers-in-law. Outside the courthouse, 50 state troopers stood guard and a crowd of 500 Laurel residents waited quietly for news of McGee's death.

A Negro minister, the Rev. T. W. Patterson of Laurel, stood nearby as McGee was strapped into the electric chair an hour after he was taken from Jackson, Miss., to Laurel for the execution.

The first — and only — shock was administered at 12:02 a.m. (CST).

5-12

Last-minute pleas for mercy were made Monday to four justices of the U. S. Supreme Court, Mississippi Gov. Fielding Wright, Fifth Circuit Court of Appeals Judge Wayne G. Borah in New Orleans, and Federal Judge Stanley Mize in Jackson, but all refused to grant a stay of execution.

The desperate, day-long struggle was led by former Rep. Vito Marcantonio (ALP) of New York, who labelled the Negro's three convictions a "legal lynching."

The appeals climaxed a six-year fight to save McGee's life. He became a cause celebre of civil liberties groups and the case attracted world-wide attention.

State department officials at one time went to Mississippi for information to be used in combating charges that McGee was a victim of racial prejudice.

President Truman and Mississippi authorities were bombarded with appeals for mercy from the Communist-led countries of Eastern Europe.

The Mao-Tse-Tung government of China pleaded for McGee and only Monday Gov. Wright received appeals from Dimitri Shostakovich, noted Russian composer, and Soviet Author Ilya Ehrenburg.

The left-wing Civil Rights Congress spearheaded McGee's defense. Two members of the group were attacked and beaten in Mississippi last year and 42 others—arrested Saturday as they paraded with picket signs in Jackson — were released only when they agreed to leave the state.

McGee's wife toured the nation asking for help for her husband and "Save McGee" posters were splashed throughout Negro communities.

The main point raised in the appeals was the claim that no white man convicted of rape in Mississippi had ever been sentenced to death.

Defense attorneys had charged McGee was convicted on perjured testimony.

McGee was tried and found guilty three times. A state court nullified the first conviction when it held public sentiment may have influenced the verdict. A second conviction was voided by the Supreme Court on the grounds of systematic elimination of Negroes from the jury panel.

A Mississippi precedent was broken in the third trial by the inclusion of Negroes in the grand and petit jury panels.

McGee's case went to the Supreme Court on three separate occasions. Supreme Court Justice Black granted the last stay of execution in February.

McGee Dies in Chair, Spared 6 Times

By the United Press.

LAUREL, Miss., May 8.—Negro rapist Willie McGee died in the state's portable electric chair early today. 5-8-51

The 38-year-old truck driver made no show of emotion while he was being strapped in the chair in front of the judge's bench in the courtroom where he had seven times been sentenced to die.

27e(2)

State troopers kept watch outside. But the death watchers were orderly and the only demonstration was a series of rebel yells from 500 white persons on the courthouse lawn as the body was removed.

Among the 100 witnesses to the execution was the husband of the white woman the Negro was thrice convicted of raping here in 1945 in the presence of two of her children.

McGee's defense had asserted that racial prejudice had deprived him of his civil rights. Last minute stays of execution twice had spared his life.

But last night Chief Justice Fred M. Vinson of the U.S. Supreme Court refused to grant a reprieve. The nation's highest court already had considered the case four times.

The State Supreme Court also reviewed all three of McGee's lower court convictions.

Authorities were bombarded with appeals both from sympathetic organizations and from Comunist agitators in this country and abroad.

CIO Leaders Plead For Life Of Convicted Miss. Negro

27e(2)

CIO LEADERS have asked Gov. Fielding L. Wright of Mississippi to commute the death sentence meted out to Willie McGee, Negro former soldier, when he was convicted of rape.

CIO

Last week Pres. Walter P. Reuther of the CIO Auto Workers wired Wright, pointing out that the request was made in full knowledge of the fact that McGee "has received consideration in the many avenues of due process open to him since the day of the alleged crime in 1945.

5-7-51

"However," he added, "we feel that you can perform a great service to your state and to our country in furthering the cause of justice by granting clemency in this case. This decisive action on your part will add immeasurably to the strengthening of national unity . . . of our nation in its effort to beat back Communist aggression.

"Unmistakably, the granting of the petition for clemency will be a blow to Communist forces in America and abroad and deprive them of another weapon in the propaganda campaign against the free world."

Earlier CIO Secy.-Treas. James B. Carey, in another wire which also conceded that the case had received much consideration, noted that "nonetheless certain incidents in connection with various of the legal proceedings raise the possibility of reasonable doubt as to whether justice has been done."

"My main consideration, however," he said, "is the fact that the American Communist Party, as part of the world Communist conspiracy against the free countries, has made this case an effective vehicle for the misguidance of peoples of other races, particularly in the Far East, where the Communists are determined to make race a major issue in world politics.

"I DO not believe that we should permit the Communists to make such important capital out of a possible injustice occurring in the United States. . . .

"I suggest that if you commute this sentence, that you make it clear that you are doing so at the request of loyal American citizens in the national interest, so as to preclude the Communists from claiming that they obtained the requested commutation."

Willie McGee Electrocuted as Rapist

Laurel, Miss., May 8 (AP)—Willie McGee was executed today.

Supporters still claimed the 37-year-old Negro was innocent of the rape of a white woman for which he died after 5½ years of legal battling.

One long charge of electricity ended his life at 12:05 a.m.

His attorneys fought to the last minute to save the short, bushy-haired man from Mississippi's portable electric chair. But 11th-hour appeals last night to Governor Fielding L. Wright, the United States District Court, the U. S. Fifth Circuit Court of Appeals, the U. S. Supreme Court, and President Truman failed.

27e(2)

William L. Patterson, executive secretary of the Civil Rights Congress, said in New York that "Willie McGee, an innocent man, has been executed only because he was a Negro."

McGee was arrested in Hattiesburg, Miss., November 3, 1945, the day after a housewife reported she had been raped in a bedroom of her home here. He was tried and convicted three times in Circuit Court. The State Supreme Court upset the first two convictions on technicalities.

When the court upheld the third conviction and death sentence, the case was appealed to the U. S. Supreme Court. Three times that court refused to review the case.

5-9-51

27e(2) 1951 Mississippi 8270

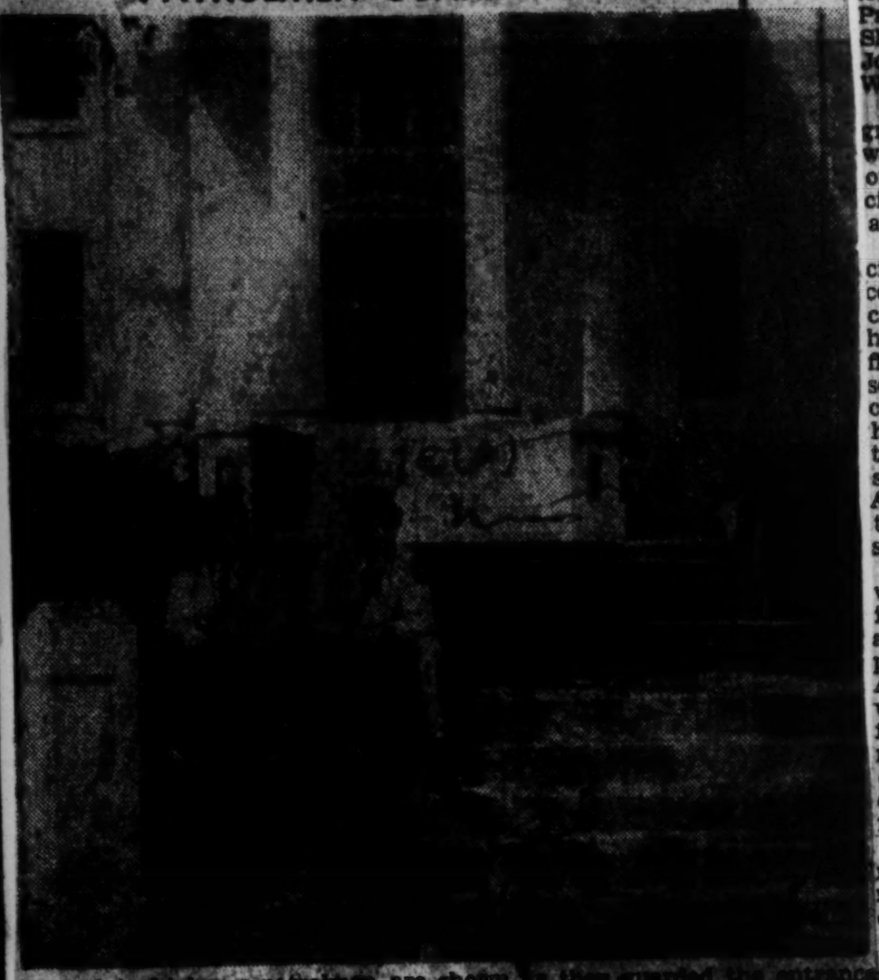
43 McGee Demonstrators Arrested

Wright Withholds Decision--News Photographers Threatened With Arrests

THEIR PATHS LEAD TO JAIL AS WILLIE McGEE SYMPATHIZERS WERE ARRESTED HERE SATURDAY AND TAKEN INTO CUSTODY BY JACKSON POLICE AND HIGHWAY PATROLMEN.
(STAFF PHOTOS BY W. C. SHOEMAKER).

8270

PATROLMEN GUARD MANSION



Two state highway patrolmen are shown as they guarded the entrance to the Governor's mansion Saturday in an attempt to keep Willie McGee sympathizers entering the home of the state's chief executive. (Staff photo by W. C. Shoemaker.)

43 Sympathizers Jailed, Released If They Leave

Daily News

5-6-51

Jackson Miss

By AUSTIN McMURCHY

27E(4)

Forty-three Willie McGee sympathizers, who were arrested at State Capitol here Saturday by city police on conspiracy charges that they attempted to force an entrance into the office of Governor Fielding L. Wright, were released on their own recognizance on an offer that they leave the state.

The action was taken at a hearing before City Judge George R. Nobles, held in circuit courtroom in Hinds county courthouse.

The proposal for releasing those arrested if they leave the state was made by Bella Abzug, one of the attorneys for the condemned Negro.

The group included 29 white persons, mostly women, from New York City, Louisville, Kentucky, and other places. There were a group of 14 Negroes, most of whom were from Memphis, Tennessee. One Negro gave a Sacramento, California, address.

The conspiracy charges are held pending, and will be preferred if the sympathizers insist on congregating here, according to County Prosecuting Attorney Hugh B. Gillespie. The state was assisted in the hearing by Attorney General J. P. Coleman, City Prosecuting Attorney Leon Hendrick, and Will S. Wells.

Daily Clarion

Under conspiracy charges the maximum penalty is $500 fine and six months in jail. Coleman said the state has authority to bring charges under several other statutes if the demonstration is continued.

5-6-51

Those who signed the recognizance bond are as follows:

Barbara Jackowitz, Belle C. Sundeen, Helen Guerwitz, Elaine Ross, Rose Aponte, Molly Eisenstat, Doris B. Walker, Sarah Randolph, Clifford L. Hernandez, James Boyd, Bennie Nunnaly, Carmen Davis, Jack Carver, Earl Lane, Fannie M. Jones, Leroy Boyd, Jr., Georgie Ona Harris, William Davis, Vanderwelt Turner, Clifton Hudson, Eldridge Jones, Thomas J. Little, Willie O. Mayes.

Jackson News

Kathryn Hart, Mary Wilson Fredrikson, Elain Louise Parum, Marianna L. Majchrzyk, Rose Kreitzberg, Ann Braden, Ida Baldinger, Alberta Ahearns, Elsie Crane, Regina Vandiver, Dorothy Irena Simpson, Adelle White, Vincent Catherine Parker, Ester [illegible], Ann [illegible], Shirley Cohen, Warren H. Davis, John W. Simpson, Lucy Brown Walleck and James Turner.

27E(3)

The agreement to release the group rounded up during the day was made at a conference in the office of Mayor Allen Thompson at city hall, attended by Mrs. Abzug and John Coe, McGee's attorney.

The group was marched from city police headquarters to the county courthouse under guard of city detectives, city police and state highway patrolmen. The group was flanked by a corps of press representatives who took pictures in the court room during and after the hearing. The hearing was moved to the circuit courtroom to allow more space for the proceedings. Sheriff Albert Jones and deputies handled the seating of a large number of spectators.

Sheriff Steve Broggan of Laurel was in attendance at the proceedings, as was Col. T. B. Birdsong and Chief L. C. Hicks of the state patrol. Following the hearing Mrs. Abzug went to Hinds county jail, where McGee is confined, for a conference. Earlier in the day McGee's name had been acknowledged by chancery court deputies, but the contents of the document were not revealed.

The defendants, by signing the recognizance bond, waived arraignment and pleaded not guilty to the charge.

Under conspiracy to obstruct justice charge the affidavit made by County Attorney Gillespie listed three groups of conspirators, one naming Kathryn Hart, another naming Ann Braden, and the third naming James Atha Boyd.

Two Belzoni Negroes and one Negro from Jackson were among the group picked up by police in close proximity of the New Capitol building. They were dismissed by the court after pleading that they "were just standing on the corner" and had no connection with the sympathizers. A number of tourists taking pictures in the vicinity of the New Capitol building were also taken to police headquarters in the roundup, but were later released and escorted by police to the building to conduct their picture-taking.

Attorney General Coleman, in his statement to the court, said the sympathizers should "leave the state as expeditiously as possible."

"These who are non-residents have to go," he said, "they have no business here."

Concerning fear for safe departure which he said had been expressed by some of the group, Coleman stated:

"That's a bunch of foolishness. It is that attitude that they got into this trouble about. It is high time the State of Mississippi stopped being accused of this."

Judge Noble recommended that the group be allowed to make departure without molestation.

Coleman warned the group that the state "is not playing, and no more recognizance releases will be agreed."

The sympathizers held a brief conference on the means of leaving, and then departed from the courthouse in a group.

Mrs. Abzug made objection to the taking of her picture and asked Coleman "not to provoke" individual members of the sympathizers group by his statements to them as they walked to the table and signed their recognizance bonds.

Protests Echo On McGee Execution

27e(2)

LAUREL, Miss.— (SNS) —Willie McGee, center of one of the hottest justice controversies was pronounced officially dead at 12:08 Tuesday morning. However, protests were still being voiced late Tuesday from coast to coast on his death.

Harry Bridges, leader of a longshoremen's union in San Francisco said that McGee's execution was a "lynching of an American solely because of the color of his skin."

In New York William L. Patterson, executive secretary of the Civil Rights Congress which entered the case on McGee's behalf, said; "Willie McGee, an innocent man, has been executed only because he was a Negro."

5-9-51

After his refusal of a final pardon appeal, Governor Fielding H Wright made no public comment on the execution.

Long Battle Ends

Willie McGee Executed for Rape in 1945

27e(5)

LAUREL, Miss., May 8 (AP).—Willie McGee was executed today.

But supporters still claimed he was innocent of the rape of a woman for which he died after 5½ years of legal battling.

One long charge of electricity ended his life at 12:05 a. m. (CST) this morning. He was pronounced dead officially five minutes later.

His attorneys fought to the last minute to save him from Mississippi's portable electric chair. But eleventh hour appeals last night to Gov. Fielding L. Wright, the United States Supreme Court and President Truman failed. He was arrested November [illegible] 1945, the day after a Laurel white housewife charged she had been raped.

In San Francisco, Harry Bridges, longshore leader, said McGee's execution "was a lynching of an American solely because of the color of his skin."

William L. Patterson, executive secretary of the Civil Rights Congress, said in New York that "Willie McGee, an innocent man, has been executed only because he was a Negro."

Delegation Prays For Willie McGee Near White House

WASHINGTON — (AP) — A New York delegation prayed in front of the White House Tuesday, hoping to save Willie McGee from Mississippi's electric chair.

27E(2)

McGee, a Negro convicted three times of raping a Laurel, Miss., white woman, is scheduled to die May 8.

The New York delegation, identifying themselves as members of the United Labor Action committee and of the Harlem Trade Council, staged its prayer session in front of the White House.

5-5-51

It climaxed a day of activity which included calls on various members of Congress and on Attorney General Howard McGrath.

Ewart Guinier, who said he is chairman of the Harlem Council, said the group of 100 came from New York in hope of getting President Truman to take action to save McGee.

Police, who ordinarily require a permit for any demonstration in front of the White House, told leaders of the group a brief prayer would be allowed but warned against any speech making.

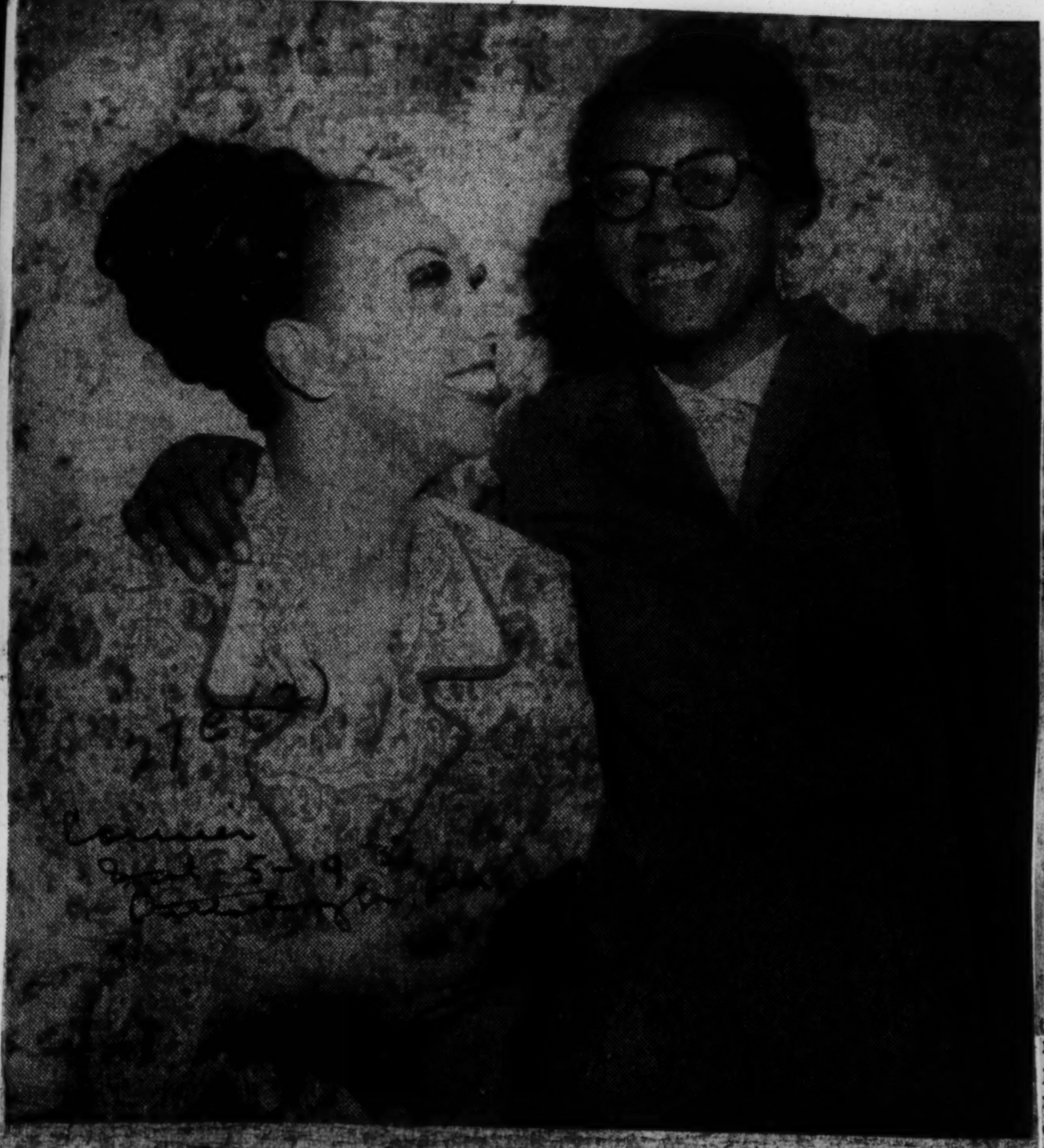
A man identified by Guinier as Elder Raymond O. G. Hunter led the prayers, asking divine guidance for the President, his cabinet, and others in authority and for freedom for McGee.

Guinier told a reporter his group made no effort to see the President but sent him a statement urging him to intervene and halt McGee's electrocution. The statement said McGee was convicted on the strength of a "concession forced from him under threats of lynching" and that he later had repudiated the confession.

27e(2) 1951

Mississippi

8271



27e(2)

Courier Det. 5-19-51

Smiles Through Tears—Josephine Baker, internationally famed entertainer, did her best to comfort Mrs. Willie McGee, right, in Detroit on the eve of McGee's execution in Laurel, Miss., last week, for the alleged rape of a white woman. Shortly after they posed for this picture, Mrs. McGee took a plane to be near her husband, using money given her for transportation by Miss Baker.—Gafford Photo.

La Baker Pays Bill for Funeral After Execution

Courier

Det. 5-19-51

DETROIT — Josephine Baker, French entertainer currently in the United States on a theatre and night club tour and waging a fight against jim-crowism, accused the Communist-controlled Civil Rights Congress this week of using Willie McGee "to swindle thousands of Americans into furthering its despicable plan to conquer the world." 27e(2)

Miss Baker unleashed the blistering attack after she discovered the group had no funds available for the burial of McGee, who died in the electric chair last week in Laurel, Miss., on conviction of raping a white housewife.

The legendary singing and dancing star paid for the burial, sending the money directly to the undertaker in Laurel. She also paid the plane fare from Detroit to the Mississippi town for McGee's wife so that Mrs. McGee could see her husband just before he died. Mrs. McGee had been visiting relatives here and appearing at rallies sponsored by the Civil Rights' Committee, ostensibly to raise funds for her husband.

Her voice shaking with indignation, Miss Baker explained:

"At this crucial moment when the Civil Rights Congress could no longer exact money from the people, they tried to get more money from me than the actual cost of the plane trip and even the poor man's funeral."

"When these vicious people found out that I was interested in doing something for McGee and his family, they told me the plane transportation would cost about twice what it actually was. But my lawyer, got the true fare by calling the airline," she said.

Haltingly, Miss Baker told the Courier that when she telephoned Laurel from a theatre here a member of the "Leftist" organization told her McGee's burial would cost $500. But here again, the "larcenous tactics" were employed, she said in clarifying that a direct call to the undertaker disclosed that the burial would cost only $175.

Miss Baker said she had nothing but "admiration and sincere respect" for other organizations, notably the NAACP, and individuals who gave money to aid the 38-year-old truck driver, his wife and four children.

She said she did not believe that the Civil Rights' Congress used all the money it collected in handling the court defense of the doomed man.

"I think some authority should make these vicious people make a public audited accounting of the money they collected and how much they actually spent to help poor McGee and his family," she exclaimed.

Earlier, visibly emotionally unstrung at the news of McGee's electrocution, the once impoverished St. Louis-born artist told a capacity theatre audience that with the death of McGee "a part of all American Negroes died a little."

Det. 5-19-51

Terming his death a "national disgrace," Miss Baker urged the observance of "A day in mourning in memory of Willie McGee, a victim of so-called American democracy."

With tears running down her face as the predominately white audience sat spellbound, she sobbed: "Today is a tragic one for all American Negroes and the dark peoples of the world."

To the Courier she said: "If this is American democracy I want no part of it, and I'm going to tell the true story to as many European people as will listen to me when I return."

The star, a citizen of France, who was cited by the French Government for her role in the liberation of France, explained that her "foremost purpose in America is to help liberate the American Negro."

How Willie McGee Died

Mississippi Has Her 'Finest Hour'

LAUREL, Miss.—Only one visible sign was made by Willie McGee when he died here for the alleged rape of a white woman over five years ago. That was the clenching of his hands into half fists as 2,500 volts of electricity coursed through his body. It started at 12:05 A. M., May 8. At 12:08 they cut off the current. He was dead.

The woman who said Willie had raped her, while she lay in bed with a small daughter, who was asleep, was not there to see Willie die.

WANTED "SPECTACLE"

But down on the lawn of the courthouse where they killed Willie, there were hundreds and hundreds of white Mississippians who had come to witness a "spectacle." And they broke into cheers when the huge generators of the state's portable electric chair stopped humming on the courthouse lawn, for they knew then that Willie McGee was dead.

They had waited a long time for that moment, as one of the policemen said. When it came Confederate yells split the air. Mississippi had gotten her revenge, for there had been rumors that Willie had had relations with the woman he allegedly raped, voluntary relations and that was most contrary to the code of Dixie.

WILLIE McGEE
last walk

THEIR "FINEST HOUR"

It was Mississippi's "finest hour," for the state had stood off five years of fighting by groups who sought to save Willie from the chair. They had successfully stood their ground three times before the State Supreme Court, three times before the U. S. Supreme Court, last-minute appeal to President Truman, plus numerous other efforts of lesser importance.

So, Mississippi went about the the business of killing Willie with elaborate preparations.

In fact, when they brought Willie here from Jackson, they carried him through the courtroom where the electric chair stood—so he could see it. That was two hours before he died. Incidentally, the chair was placed on the very spot where a judge sits in that same courtroom and presides over court.

HOW IT HAPPENED

Here's what happened:

Shortly after ten P. M. three officers brought Willie into the courthouse. They took him through the room where he was to die, where he faced the chair and then went to a room nearby to wait for death.

About 11:30 P. M. Alex Spencer, veteran barber—a Negro—went to Willie's cell. He clipped Willie's hair then shaved his head at the base of the skull as two officers watched. Then Spencer left.

On the streets below, the crowd had cheered when told that Willie was in the courthouse. Two or three drunks were picked up and jailed as they celebrated boisterously. Up in his cell, Willie had company, the Rev. T. W. Patterson, local Baptist minister, who stayed with Willie that last hour. The Rev. Mr. Patterson read the Twenty-third Psalm to Willie and prayed with him.

CROWD ROARS AGAIN

At 11:55 P. M. the big generators on the lawn hummed into life and the crowd cheered again. Those Mississippians knew that it wouldn't be long before Willie would pay with his life for an alleged crime of far less bestiality than that of white "Mad Dog" killers and rapists of Kosciusko, Miss.—whose crime was against helpless Negroes.

At midnight Willie was led into the courtroom. The chair had been waiting for seven hours. Willie walked to the chair without aid and without urging.

He sat down in the chair. The officers fastened the leather straps over his ankles, after they had removed the bedroom slippers Willie was wearing. They carefully put the slippers to the right of the chair near Willie. They fastened the straps around Willie's stomach and wrists. Then they capped his head with the metal skull electrode, and put a leather band across his eyes.

At 12:05 the first shock hit Willie. His hands clenched into half fists against the arms of the chair where they were strapped. His alleged victim's husband, brother and two brothers-in-law watched. At 12:08 the executioner cut off the switch.

He unfastened Willie's shirt. Two doctors examined Willie. They said he was dead: That was it. Mississippi had finally won.

Downstairs on the lawn the crowd broke into more Confederate yells. Willie didn't hear them — his head lolled back slightly, his eyelids hung down, his lips were moist and his mouth was half open. He stayed that way until 12:25 A. M. Then came Pete Christian—a Negro undertaker — and Christian and his men took Willie away under a white sheet, down through the crowd to his hearse. The crowd broke forth with more cheers.

Christian's hearse roared away. The crowd on the lawn dispersed and in less than ten minutes there was only an empty courthouse yard. All was silent. It had been Mississippi's "finest hour."

5-19-51

'Tell Them Why Daddy Was Killed'

DETROIT—On the day before he was electrocuted in Laurel, Miss., Willie McGee wrote his last letter to his wife, Mrs. Rosalee McGee in Detroit. Here is his last letter:

May 7, 1951

Dear Rosalee:

They are planning here to kill me and I don't know if you and the people will be able to save me.

If I have to die, I want you to say goodbye to my mother and the children and all the people who know it is wrong to kill a man because of his color.

You know I am innocent. Tell the people again and again I never did commit this crime.

Tell them the real reason they are going to take my life is to keep the Negro down in the South. They can't do this if you and the children keep on fighting.

Never forget to tell them why they killed their daddy.

I know you won't fail me. Tell the people to keep on fighting.

Your husband,
WILLIE McGEE

5-19-51

Negro Rapist Dies, Ending Legal Fight

LAUREL, Miss., May 8 (Tuesday) (AP).—Willie McGee, 37-year-old Negro grocery truck driver, was executed early Tuesday five and one-half years after raping a white housewife in the bedroom of her home here.

McGee died in the electric chair at ten minutes after midnight after losing four desperate appeals within his last six hours.

The execution ended a case that had attracted international attention.

A crowd estimated as high as 1,000 persons crowded the courthouse lawn for several hours before the execution. There was no demonstration.

Tue - 5-8-51

Harrison Man Convicted of Rape Gets New Trial

A white man sentenced to life by the Harrison county circuit court for rape, will get a new trial because Gulfport officers testified of details told them by the woman involved.

The State Supreme court Monday reversed and remanded the case of Arthur E. Redding, convicted of the rape of a Gulfport woman on March 16, 1950, and was sentenced to life.

In an opinion written by Associate Justice John Kyle, the high court ruled that the lower court erred in admitting the testimony of two police officers regarding detailed statements the woman made to them.

The opinion holds that upon the trial of an indictment for rape, the State may show that the woman in the case complained of her injury shortly after the assault upon her. However, the opinion continues, the State may not show the particulars stated by her, nor that she charged the defendant with the wrong.

One Gulfport policeman, Harve. Sheffield, testified that the woman did not know the name of the man she charged with rape, but she described him to two police officers.

Sheffield said further that she told the officers she first met Redding at the Service Cafe on 28th Avenue and 18th Street, that she had missed her bus uptown and that she obtained a ride with Redding, and that Redding "made her go with him" after they got to town.

27e(2) 1951 Mississippi

8272

SHACKLED WILLIE McGEE LOOKED SMALL, BLACK WITH DEATH STARE IN HIS EYES, SINGING HYMN

5-8-51

By LUCIE MAGEE

Willie [illegible] walked out of the county jail here for the last time, with death in his eyes.

The men from Laurel were here. They had come after him again. He seemed used to it all.

Sheriff Steve Brogan and Officer George Gilman stood by. The jailer assumed a grave businesslike attitude as they gave Willie his $10.75 less the dollar and a half he had spent on cigarettes.

He gave Willie a telegram to read while he counted out the money. Willie reached for it with interest, then lapsed again into his faraway calm.

Perhaps he had thought it from his wife. "She's in New York," he had said in the elevator going down. "I haven't heard from her."

The telegram read: "IF YOU CONTACT FATHER DEVINE SINCERELY YOUR LIFE CAN BE SAVED. HIS ADDRESS IS REV. M. J. DEVINE, MS DDD, PHILADELPHIA, PA."

It was signed "BEAUTIFUL INSPIRATION."

Willie folded it in his shirt pocket. Somebody asked him if he would contact Devine. Willie quietly said no.

The sheriff asked what preacher in Laurel Willie would like.

Willie said the Rev. Lewis Dean.

"He's dead," the men told him.

Willie was silent. They asked him if he knew of any other preacher he'd like.

27e(2)

He told them he wanted the Rev. J. J. Overstreet of Pleasant Valley or the Rev. T. W. Patterson.

The sheriff wrote that down. Willie sat down by the big brown box filled with his clothes which he said he washed himself while in jail.

He took out a cigarette, fumbling because his hands were shackled. Nobody noticed he needed a match. He finally got a light, but he didn't ask for it.

A reporter asked "What do you think will happen tonight?"

He said he never did any talking.

The reporter said what was the blues song he was singing today.

Willie took a long, thoughtful draw. He sucked in the smoke and harbored it in his throat. He drew its strength and it trailed from his mouth a thin wisp.

"A hymn," he said.

One of the men said sing it for the lady, Willie.

His voice came strong, clear, plaintive. He unloosed the bottled-up emotion in him. As he sang the men stopped fidgeting in the room.

"Only the Father," Willie sang, "He'll understand.

"The Father alone, he knows why.

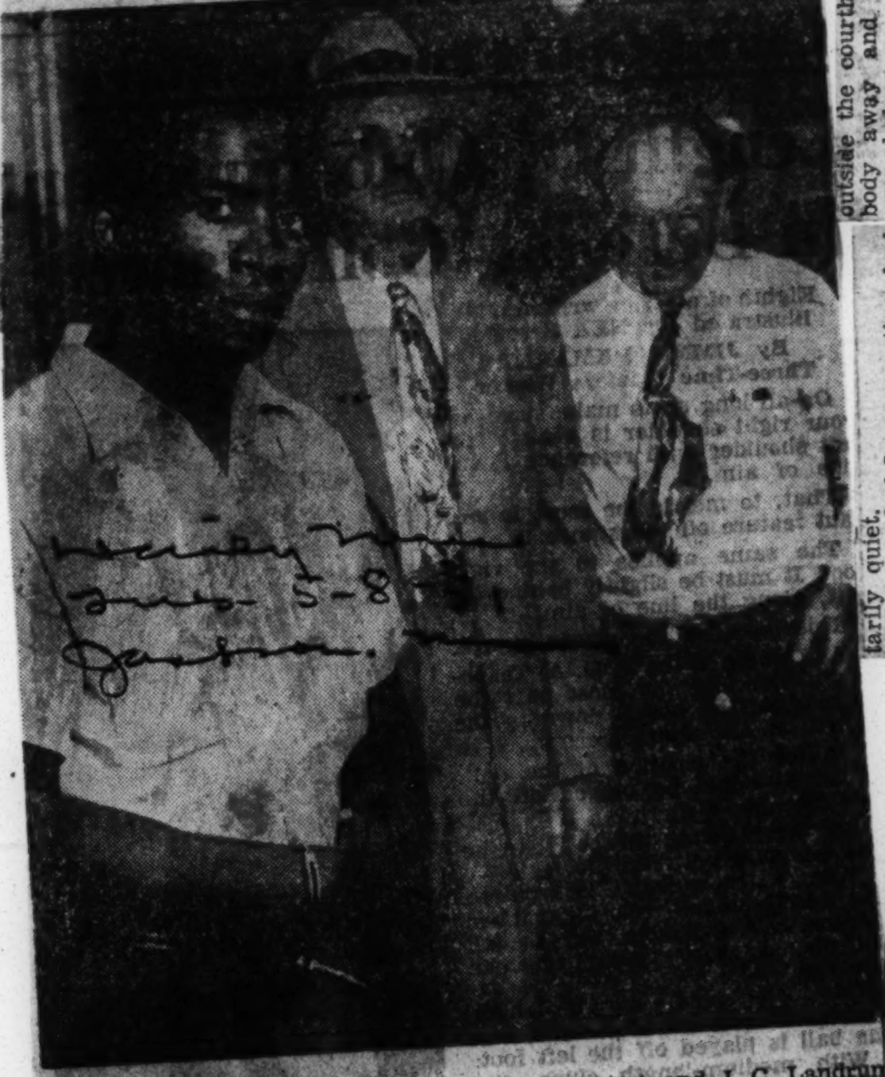
"When I see Jesus, he'll know the reason

"Only the Father, he'll understand."

Everybody in the room knew that Willie would die.

The men took him down in the elevator and he stepped into the car. He looked small and black and he had death in his eyes.

ONE OF WILLIE'S LAST POSES


Jackson 5-8-51

In custody of Jones Deputy A. R. Tillman (center) and J. C. Landrum (right), Hinds jailer, Willie McGee leaves the Hinds county jail here a 6:30 p. m. Monday. This was one of the last pictures to be taken o Willie while he was alive. (Staff photo by Lucie Magee.)

Crowd Was Noisy

Switch Was Pulled And The Generator Struggled, Then The Throng Quieted

By W. C. SHOEMAKER

LAUREL — (Special) — The generator in the Jones county court yard struggled under its load and the crowd of several hundred persons become suddenly quiet.

When the motor stopped its hum less than five minutes later nearly 500 persons lifted their voices in scattered cheers over the death of Willie McGee.

The crowd of nearly 1000 persons at one time, had [illegible] a noisy but not uncontrollable [illegible] with the death of the three time convicted Negro rapist for more than six hours.

There had been a steady milling of feet and murmur of voices with an occasional shout during the evening but as the generator sputtered to send 2300 electric volts into McGee's body they became momentarily quiet.

The crowd of Jones countians had been standing near the courthouse since early evening for a glimpse of the Negro when he was taken into the building to prepare for execution.

But they missed even that one look.

Jackson

Sheriff's officials took the Negro into the courthouse shortly before a state highway patrolman stood atop the nearby jail steps and told the group that McGee's last plea had been denied.

Most of the throng never knew the Negro had walked past them as they stood shoulder to shoulder awaiting his arrival.

When the execution was finally completed and witnesses again appeared at the doors they were rushed by hundreds of persons asking such questions as: "Is he dead?" "How did he look?" and "What did he say?".

The news hungry crowd never waited for an answer. At almost the same time a hearse drew up outside the courthouse to cart the body away and they ran to its opened door.

When the body was taken down the walk to the waiting funeral car the group pushed at each each for a last look at the rapist's body, but were held back by a host of policemen.

A big cheer arose as the body was driven away by two Negro drivers.

The crowd had drawn back to allow passage for the Negro ambulance drivers and earlier for a Negro barber who entered the courtroom to prepare McGee for his date with death.

Other than these three attendants Negroes were scarce on the scene during the night.

Earlier the crowd had listened eagerly to a red-haired woman inmate of the Jones jail relate her arrest for drunkeness. The woman stood beside a barred window on the fourth floor of the jail and discussed her "private room" with the crowd for nearly half an hour.

She told the group she "probably wouldn't see the execution, due to the privacy of her home."

At one corner of the courtyard an old man filled the air with the soft strains of an old southern ballad as he quietly played a harmonica.

One block from the waiting crowd, a Laurel High School music club held a piano recital, but with few listeners.

The pulse quickening rhythm of Beethoven could occasionally be heard at the courthouse.

Very few of the would-be-witnesses saw the actual execution.

Only one person, other than those admitted by the sheriff's order, saw the event take place. He was C. D. Hill, 70 year-old Laurel plumber who perched atop a 30 foot cedar tree overlooking the courtroom where the scene took place.

The nimble old man excitedly related the events to the eager crowd below as they took place.

The crowd had disappeared by 12:45; many of them departing by saying they "had come to see justice done and it has been completed."

Willie McGee

Arresting forty-two people in Jackson, Mississippi, and ordering them out of the state is indeed a savage and unconstitutional assault upon the right of protest. And then as if to add insult to injury this same group of Mississippians have come to the decision that the protestors must be communists because they petition the governor at Jackson not to snuff out the life of a Negro charged with rape.

Whoever heard before this allegation that those who petition government are obstructing justice? Again, whoever heard that it was illegal to make pictures of those who petition government? The right of peaceful assembly is openly attacked in this flagrant denial of constitutional rights to those who assembled in Jackson, Mississippi, the other day to protest the legal lynching of Willie McGee. To the notion of the Black Dispatch the facts in this case are just the other way around. It appears as though state officials in Jackson, on the banks of the Pearl river, are the individuals who are obstructing justice and are casting slurs upon the morality of that section when they aver no one but communists would have sympathy for Negroes. Shades of Hodding Carter!

Black Dispatch

Here we have citizens of another state, or let us say, several states, who journey to the Mississippi capital to attend a clemency hearing. They allege they have additional information uncovered since the conviction. It is generally rumored, and sworn to by the wife of the convicted man, that the prosecutrix, who charges her husband with rape, was hounded by this white woman for years, and that the wife had full knowledge of what was going on, but through fear had said nothing about it. She further states in her sworn statement that when Willie McGee finally refused to go any farther with the prosecutrix in the sex relationship, the infuriated woman carried out a threat she had held over the head of Willie McGee for years.

[illegible]

Now it appears to the Black Dispatch that such a startling disclosure as stated above would warrant the Governor of Mississippi in giving careful ear to the charges made, despite the fact that Governor Fielding Wright would be challenged to accept the word of a black woman against that of a white. It is illegal to think in such terms down on the banks of the Pearl river, and yet it seems to this publication that when a human being's life is at stake, Governor Wright would give some credibility to this sworn statement.

Oklahoma City

It is about this phase of this tragic affair several organizations sought audience with Governor Wright, only to be arrested and later told to get out of the state post haste. When arrested the petitioners carried no placards and no disorder was reported by the police as they stood across the street from the state capitol building.

Somehow, some way, Negroes and liberal elements in this country must divine a method by which they can escape from what is now characterized as legal lynchings. Since the abandonment of the mob as the method by which to dispose of undesirable backs in increasingly large numbers of instances, there has been disposition by the courts to ignore, or suppress important facts extant, and rush Negroes charged with rape directly to the electric chair. These ex parte hearings are brutal shambles of justice with practically every constitutional guarantee of a fair trial completely removed. The defendant is not permitted to have a lawyer of his choice; to make bond; a reasonable period in which to plead; to see a list of the witnesses to appear against him, and to face his accuser in open court. These farcial trials, bearing the color of law, usually last less than an hour and are held in an atmosphere of terror and intimidation of both the defendant and the jurors. The defendant is told a mob awaits him on the outside and the jurors are told in no uncertain tones that the infuriated citizenry will accept but one verdict.

A fair trial should include within its guarantees integrity in indictment. Gestures made in open courtrooms are meaningless if in the first instance the defendant has been charged with an offense he did not commit, and southern justice, which totally discounts the world of a black man when entered against that of a white, has already closed the door to a fair trial when it refuses to hear testimony from a black man and his wife. Mrs. McGee has sought diligently to tell her story to proper officials in this case. She has not been heard, and when folk come from the outside of the political sub-division in which Mrs. McGee resides, they are thrown in jail without warning and ordered to leave the state.

Willie McGee may be dead ere Black Dispatch readers peruse these lines, but we want to say here and now that no nation, having within its borders a festering cancer of social indecency such as Mississippi, has the right to assume the moral leadership of the world.

Just a few weeks ago Virginia snuffed out the lives of seven black men charged with rape—a penalty never in the history of the Old Dominion visited upon a white man convicted of the same offense. Since the legal lynching of these men a white man has been arrested who admits he raped and brutally assaulted a black woman with a deadly weapon in that same state. We shall wait with bated breath to see whether or not the State of Virginia feels that black virtue and chastity is just as precious and sacred as white chastity and virtue. It appears in this particular instance that God himself has had to walk in and expose the marble-heartedness of those in Dixie who consider black women as sluts to serve the whim and caprice of white men's passions.

But back to Mississippi. It appears to this writer that the black code of that state has met itself coming back. If what Mrs. McGee says is true, in order to protect its court proceedures which aver a white man's word cannot be contradicted by a black, the state must swallow the likelihood that a white woman who sought to live in adultery with a black was properly within her rights. We never knew we would live long enough to observe this sort of doctrine espoused down in Dixie, but God moves in a mysterious way His wonders to perform.

Faulkner Misquoted By Civil Righters But Still Against Execution Of Willie McGee

OXFORD — (Special) — Mississippi's world-famous author William Faulkner said Monday he did not believe Willie McGee, Laurel Negro convicted of raping a white woman, should be executed but added that he was misquoted in a Civil Rights Congress propaganda news release saying Faulkner agreed that McGee was convicted on perjured evidence.

The 1950 Nobel prize winner was visited last week by a delegation of out-of-state women petitioning Mississippians to ask that McGee be freed. This is the same group that attempted to make a house-to-house canvas in Jackson.

"I did not say that McGee was convicted on perjured evidence [illegible] by the woman who charged McGee with rape," Faulkner said when questioned about the news release from New York. "I did say that I am opposed to execution because I do not think the crime warrants it and because it would be harmful to my native state."

27e(2)

Faulkner said execution of the Negro would make a martyr of him and would greatly damage the reputation of the state of Mississippi. Faulkner said he told the group of women that he believed McGee was probably innocent, but that he was not fully acquainted with the evidence brought out in the courts.

3-26-51

The author of numerous novels and short stories treating the violence and character of Mississippi backwoodsmen said he based his opinion on a belief that a woman cannot be involuntarily raped under conditions that existed at the [illegible]

"But whether innocent or guilty," he said, "I am opposed to his electrocution.

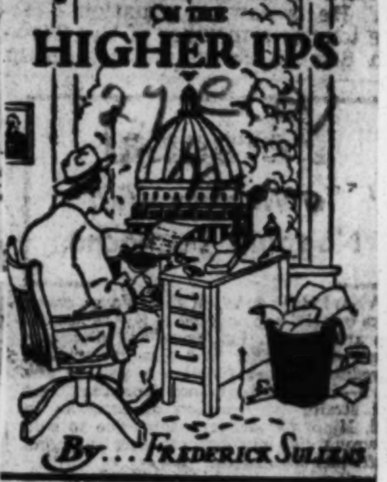
"And I will not go on record as saying that the courts accepted perjured evidence," he emphasized.

Faulkner said he had welcomed the delegation when they came to Oxford but added that he was afraid they would misconstrue what he said.

The news release was prepared by the Civil Rights Congress in New York, an organization branded by the FBI as a Communist [illegible]

[illegible] was scheduled to die on [illegible], but Supreme Court Justice [illegible] granted a stay [illegible] to permit the full [illegible] whether it will re[illegible] new appeal.

The LOW DOWN ON THE HIGHER UPS



By... FREDERICK SULLENS

The United States Supreme Court has again refused to interfere with the death sentence of Willie McGee. Next step of the Communist-paid lawyers representing the rapist will be to ask Attorney-General McGrath to request President Truman to commute the death sentence. McGee's lawyers well know the President does not have the legal right to do this. McGee is a Mississippi prisoner, not a Federal prisoner. However, while that legal farce is being enacted the Civil Rights Congress will continue to shake down the credulous public for contributions for the fund to save Willie McGee.

27e(2)

3-27-51

Coleman Returns From Willie McGee Appeal in D. C.

27e(2)

Attorney General J. P. Coleman arrived here by plane early Friday afternoon from Washington, D. C., where he has been representing the state in opposing the latest appeal of Willie McGee, convicted Laurel negro rapist.

General Coleman Thursday filed with the U. S. Supreme court an answer to McGee's petition for a writ of habeas corpus.

Coleman said it was expected the court would consider the case at its regular conference Saturday and that it was possible a decision would be handed down Monday.

Meanwhile the group of white women touring the state petitioning for intervention on McGee's behalf were continuing their activity.

Friday morning one of their number, Mrs. Carmen Davis, became incensed when Governor Fielding L. Wright refused to hold a hearing on her petition.

3-23-51

Among the group, also, is Mrs. Winifred Feise, of New Orleans, secretary of the Louisiana Progressive Party.

Mrs. Feise as one of a number of representatives of the Civil Rights Congress appealing to Governor Wright on McGee's behalf last summer, analyzed how she would have reacted if she had been the Laurel housewife involved in the case.

U. S. HIGH COURT REJECTS APPEAL OF WILLIE M'GEE

Refuses to Free Defendant on Habeas Corpus

(The Associated Press)

Washington, March 26 — The supreme court Monday denied a third appeal for a hearing for Willie McGee, Mississippi Negro convicted three times and sentenced to die for the rape of a white woman.

27e(2)

The court also refused to order McGee freed on a writ of habeas corpus.

Times Picayune

In this appeal McGee's attorneys claimed he was never allowed to tell the full story about the 1945 rape at Laurel, Miss.

Jns. 3-27-51

The attorneys contended McGee had had voluntary sex relations with the white woman and that at the time of the alleged rape he was at the home of another woman.

New Orleans

Mississippi Attorney General J. P. Coleman had told the court that these and all other angles of the case were explored by Mississippi state courts and lower federal courts.

He said the claim that McGee had had voluntary relations with the white woman was "branded by the record as absolutely false."

In Jackson, Miss., state supreme court chief Justice Harvey McGehee said the decision blocked efforts "of Communist front organizations to thwart the administration of justice in the South."

Further Efforts Expected

He said he expects further efforts to prevent McGee's electrocution.

"I don't think they are going to give up," he said. "They are that determined. They have used this case for propaganda purposes to stir up racial strife and to attempt to destroy the faith and confidence of the American people in their judiciary."

"There is more to the case than just carrying out the death sentence," he said. "The chief effect of this decision is to block efforts of these Communist front organizations to thwart administration of justice in the South."

Justice McGehee said the supreme court will meet next Saturday when Attorney General Coleman will move for a new execution date. The date probably will be fixed and announced next Monday. Under state law it can be no less than four weeks and no more than eight weeks from the date it was fixed.

McGee's attorneys asked the supreme court to free McGee at once on a writ of habeas corpus or order the US district court in Mississippi to give him a new hearing.

Jns. 3-27-51

Mistake Alleged

These attorneys, who included former Rep. Vito Marcantonio of New York city, claimed US district Judge Sidney C. Mize made a mistake in denying McGee a writ of habeas corpus in Vicksburg last March 5 without first granting him a hearing. They said Mize should have permitted the taking of testimony, cross examination of witnesses and the appearance of McGee personally.

In New York Marcantonio said he is now studying the question of a further appeal. He added he thinks there will be a new appeal but that he would not know before Tuesday.

McGee had been scheduled to die in the electric chair March 20 but Justice Hugo Black granted him a stay pending final action on the latest appeal.

In denying McGee a hearing, the court also rejected requests by the National Lawyers' Guild and the left wing United Electrical, Radio and Machine Workers of America to file briefs in the case as friends of the court.

McGee was arrested in Hattiesburg, Miss., Nov. 3, 1945, the day after the Laurel woman reported she had been raped in the bedroom of her home.

Feeling ran high in Laurel and Jones county and the National Guard was called out when McGee went to trial. He was convicted and sentenced to die. But the state supreme court on June 10, 1946, reversed the lower court on grounds that McGee could not get a fair trial in Jones county.

A second trial was held in Hattiesburg and again McGee was convicted and sentenced to die. The state supreme court reversed this conviction on grounds that Negroes were systematically excluded from jury lists.

On Feb. 18, 1947, McGee was indicted a third time, this time by a Jones county grand jury that had three Negro members. On March 6, 1947, he was convicted a third time and again sentenced to die.

On April 11, 1949, the state supreme court upheld the conviction and death sentence. In its decision, written by the late Associate Justice L. A. Smith Sr., the defense claim that the woman submitted voluntarily to sexual relations with McGee was branded a "revolting insinuation." The decision quoted a physician's testimony that it was unlikely her condition had been produced by voluntary intercourse. McGee was scheduled to die June 3, 1949.

27e(2)

Appeal to US Court

But on the night of June 2, state supreme court acting Chief Justice W. G. Roberds signed a perfected appeal to the US supreme court. It refused on May 22, 1950, to intervene and McGee's death was set for July 27, 1950.

Fourteen hours before he was to die, US supreme court Justice Harold Burton ordered a stay of execution pending a decision on whether to entertain the appeal. On Jan. 20, 1951, the supreme court decided it would not intervene. This time McGee was scheduled to die March 20.

Subsequently appeals to the Jones county circuit court, the US district court at Vicksburg and the US circuit court of appeals were denied. It was then McGee's attorneys made the latest appeal on which a decision was rendered Monday.

Laurel Negro Denied Hearing On Rape Conviction

3-26-51

WASHINGTON—(AP)—The supreme court Monday again denied a hearing to Willie McGee, Mississippi Negro thrice sentenced to execution for the rape of a white woman. The case has attracted world-wide attention.

The high tribunal at the same time refused to order McGee freed on a writ of habeas corpus.

Twice previously the supreme court refused to consider appeals filed on behalf of McGee. He was convicted three times in Mississippi state courts, but his attorneys in their latest plea to the supreme court contended he never was allowed to tell the whole story about the 1945 rape.

They contended McGee had had "voluntary" sex relations with the white woman and that at the time of the alleged rape McGee was at the home of another woman.

State Attorney General J. P. Coleman, on being informed of the U. S. Supreme court's action in the McGee case, stated:

"On behalf of the people of the State of Mississippi I appreciate the prompt disposition which our highest court has seen fit to make of this matter. Of course, I believe the decision to be immediately justified by both the law and the facts."

Governor Wright withheld comment.

Attorney General J. P. Coleman of Mississippi in a reply brief told the supreme court that these and all other angles of the case had been explored previously by Mississippi state courts and lower Federal courts.

News

In Jackson Miss., Chief Justice Harvey McGehee said the decision blocked efforts "of Communist front organizations to threat the administration of justice of the south."

Mon.

McGehee said he expects further efforts to prevent the Negro's electrocution.

"I don't think they're going to give up," he said. "They are that determined. They have used this case for propaganda purposes to stir up racial strife and to attempt to destroy the faith and confidence of the American people in their judiciary."

"There is more to the case than just carrying out the death sentence," he added. "The chief effect of this decision is to block efforts of these Communist front organizations to thwart administration of justice in the south."

McGehee said the state supreme court will set en banc next Saturday to hear Attorney General Coleman's motion for a new execution date. It probably will be fixed and announced next Monday.

The date is expected to be four weeks from the day a decision is announced. The state supreme court adheres closely to a state law requiring trial judges to set execution dates no earlier than four weeks or later than eight weeks from the date of conviction.

McGehee said official notice of today's action in Washington is being airmailed to Jackson and is expected in time for Saturday's session.

Routine handling of such a mandate usually requires 30 days. After the supreme court's January refusal to intervene in the case, however, it was forwarded within a week.

McGee's lawyers included former U. S. Rep. Vito Marcantoni of New York City. In thir latest move the attorneys asked the supreme court to free McGee at once by habeas corpus writ, or order the U. S. district court in Mississippi to give the Negro a new hearing.

Of the claim that McGee had had "voluntary" relations with the white woman, Coleman replied that the charge is "branded by the record as absolutely false."

McGee's attorneys contended U. S. District Judge Sidney C. Mize of Vicksburg made a mistake in denying McGee a habeas corpus writ last March 5 without first granting the Negro a hearing. They insisted Mize should have permitted the taking of testimony, cross examination of witnesses, and the appearance of McGee himself.

Before the case reached Judge Mize, McGee was convicted three times in Mississippi state court trials.

Mon

McGee was scheduled to die in the electric chair on March 20, but Justice Black granted him a stay pending final action on the new appeal.

3-26-51

During a hearing in his chambers on the request for a stay, Black rebuked senders of dozens of telegrams which urged the justice to intercede for McGee.

"The courts of the United States," has declared that Communist sources were back of the opposition to McGee's execution. The governor added that he had studied the case and knew McGee was guilty.

The court in denying a hearing to McGee also rejected requests by the National Lawyers Guild and the left wing United Electrical, Radio and Machine Workers of America to file briefs in the case as friends of the court.

Today's supreme court action presumably was unanimous. The court's orders ordinarily note if one or more justices disagree with the majority's action in such cases. The brief order in McGee's case made no mention of such a dissent.

McGee was arrested Nov. 3, 1945, the day after the Laurel white woman reported she had been raped in the bedroom of her home. He was traced through a grocery truck which was seen parked in the vicinity of the home about the time of the reported attack. McGee was still driving the truck, owned by his employer, at the time he was arrested in Hattiesburg.

Deputy Sheriff Preston Royals said that on the return trip to Laurel McGee admitted to him that he had raped the woman and later pointed out the house and the place where the truck had been parked.

Feeling ran high in Laurel and Jones county, the National Guard was called out to patrol the courthouse grounds and corridors when McGee was brought to trial. He was convicted and sentenced to die.

The state supreme court reversed the conviction and death sentence June 10, 1946 on grounds that McGee could not have had a fair trial in Jones county. It ordered that he be tried again somewhere else.

The second trial was held at Hattiesburg. McGee was again convicted and sentenced to die. But on Feb. 9, 1948, the state supreme court again reversed the lower court. This time it held, in line with an earlier U. S. Supreme court decision in the case of Eddie Patton, Meridian Negro, that Negroes were systematically excluded from jury lists because of their race.

On February 18, 1947 McGee was indicted a third time, this time by a grand jury which had three Negro members. He was tried March 5-6, 1947 and again convicted and sentenced to death. This trial was held in Laurel.

On April 11, 1949 the state supreme court upheld the conviction and death sentence. The late associate justice L. A. Smith, Sr., in writing the opinion took cognizance of an implication made by the defense that the woman had submitted voluntarily to sexual relations with McGee. He termed the implication a "revolting insinuation" and quoted a physician testimony that it was unlikely her condition had been produced by voluntary intercourse. McGee's death date was set for June 3, 1949.

But at 7 p. m. the night of June 2, 1949, state supreme court acting chief justice W. G. Roberds signed a perfected appeal to the United States supreme court—the first time the case had been appealed to that tribunal.

On May 22, 1950, the U. S. supreme court refused to intervene and on June 12, 1950 the state supreme court fixed July 27, 1950 as the new execution date.

On July 25, a delegation of nine persons representing the Civil Rights Congress—branded a Communist organization by the Justice Department—appeared before Gov. Fielding L. Wright asking clemency. Wright never announced his decision publicly. But he took no action.

The day before two attorneys had asked the state supreme court for a new trial for McGee on the grounds of newly discovered evidence. They also argued that McGee was being discriminated against because no white man had ever been executed for rape in They did not present any witnesses to support their contentions of new evidence. When asked if they had checked court records to prove no white man had been executed for rape in Mississippi, they said they had not.

On July 26, just 14 hours before McGee was scheduled to die, U. S. supreme court justice Harold Burton ordered a stay of execution. A small crowd had gathered at the courthouse for the execution when the news became known. When sheriff's officers took McGee to a car to remove him to Hinds county (Jackson) jail, one man in the crowd swung at McGee but did not injure him.

Meanwhile the State Bar Association was asked to investigate the actions of John Poole of Jackson, chief defense counsel, charged with accepting fees from Communists and with failing to live up to the ethics of his profession. A petition for the investigation was presented by a Jones county group.

The bar association called Poole in for a hearing. Nothing more has been heard of the probe. Poole later issued a public statement saying he did not know the money was coming from Communists and that he was quitting the case since he had agreed to handle it only through the appeal to the U. S supreme court.

On Jan. 20, 1951, the U. S. supreme court again refused to intervene. The state supreme court on Feb. 5 fixed March 20, 1951 for the execution.

Early in March John Coe, a Pensacola, Fla., attorney, sought another new trial on Jones county circuit court, then through the state supreme court. He was turned down in both courts. Then he went to U. S. district judge Sidney Mize at Vicksburg and asked for a Federal court trial to hear new evidence he claimed to have. Mize rejected the plea, saying, "I have read the record twice and his (McGee's) guilt is plain." He also refused a certificate of probable merit which would have allowed an appeal to the U. S. circuit court of appeals at New Orleans.

The appeals court was sitting in Jacksonville, Fla., and Coe went there to ask a certificate allowing him to appeal Mize's decision. Judge E. R. Holmes refused it.

Then six attorneys, including former Rep. Vito Marcantonio of New York, asked U. S. supreme court associate Justice Hugh Black for a stay of execution and Black granted it. They asked that McGee be released or given a Federal court trial. It was on this plea that the supreme court acted today.

Willie McGee's Date With Chair Is Set By Court

JACKSON, MISS., April 9—(AP)—The Mississippi Supreme Court Monday set May 8 as the new execution date for Willie McGee, Negro, convicted three times of raping a white woman in November, 1945.

Advertiser

It is the fourth time the court has set a death for McGee. On three previous occasions stays of execution have been granted to permit additional legal maneuvering by his attorneys.

In setting the date the court followed closely its standard practice of allowing between four and eight weeks between the time the execution date is set and the actual execution.

Montgomery

A state law requires trial judges to grant the four weeks grace period but it is not binding on the Supreme Court.

McGee's attorneys Saturday asked the court to delay setting the date for 30 days to allow them time to start new pardon proceedings before Governor Fielding L. Wright.

The court did not grant the extension. Wright has refused comment as to what action he might take if a pardon is requested.

McGee's case has attracted world attention. Articles written by his wife have appeared in the London Daily Worker. Governor Wright has received thousands of telephone calls, letters and telegrams urging clemency. Some came from Communist-held China., Others were from Australia labor unions.

McGee was arrested Nov. 3, 1945, the day after the Laurel white woman reported she had been raped in her home. Deputy Sheriff Preston Royals said McGee admitted he raped the woman pointed out to him the house where the attack occurred.

8279

Motions For Continuance Of Rape Case Argued Here

Motions for continuance of the case of Hugh L. Morrow, 48-year-old white carpenter indicted for rape of a 14-year-old Negro girl, were to be argued in Hinds circuit court late Monday.

27e(2)

Meanwhile, District Attorney Julian Alexander said no assistance in prosecution of the case is being accepted from Negro Womanhood Defense Committee or any other organization.

The committee, which was organized here to raise funds purported to be used to aid prosecution and for the girl and her family, was reported to be seeking $10,000. Only $1,000 in cash and pledges had been secured. The group also is reported to be seeking a lawyer to employ in the case.

The girl was moved Friday from Jackson College clinic to Copeland clinic.

On Monday, Attorney E. B. Todd joined the defense counsel with Attorneys Ernest Shelton and V. J. Stricker.

6-18-51

The nature of the motions to be introduced in the court was not revealed. Attorneys said, however, that they would go to the matter of a continuance of the case. A special venire which defense attorneys asked has not been issued by Judge McGowan, pending the disposition of the motions.

Morrow's case is docketed for call Wednesday.

Grand Jury Acts Speedily In Hinds County Rape Case

The Hinds county grand jury, recalled Wednesday by Circuit Judge M. M. McGowan, returned an indictment at noon today charging Hugh L. Morrow, Jackson carpenter, with raping a 14-year-old Negro baby-sitter.

27e(2)

The true bill as written in the indictment carries the full penalty under state laws if the middle-aged local carpenter, a white man, is convicted by a circuit court jury.

Daily

With the court in session now it is possible for the case to come to trial during the current term. The court docket, however, is crowded with cases already scheduled.

Morrow, who Hinds County Sheriff Albert Jones said confessed to the crime, is being held in the county jail without bail.

The young Negro girl told investigating officers last Thursday she was picked up at her home on Banks street by a white man who told her he and his wife wanted a baby sitter.

She added that instead of going home, the white man took her onto Wiggins road west of Jackson where he attacked her.

While the girl is being treated at a local hospital, a statewide organization called the Mississippi Womanhood Defense committee held a mass meeting here Monday night to collect funds to aid the recovery of the Negro girl and to push prosecution of the white man.

Civil Rights Congress attorneys attempted to have the death sentence of Willie McGee, Laurel Negro rapist commuted to life on the contention that no white man in Mississippi had ever received the death sentence for rape. (McGee died in the state's electric chair on May 8, for the rape of a white Laurel housewife in November, 1945).

The State Attorney General's office, opposing the commutation, argued that the attorneys had not searched the records of each of the 82 counties, and could not therefore support their contention.

Two Warren county white men were indicted for the rape of a 30-year-old Negro woman. The case was continued by the Warren circuit court because of the illness of the sheriff, who arrested the men.

The grand jury in its report to the court Wednesday extended sympathy to the family of John Laird, one of its members who died here.

The report of the grand jury, which met in recall session, follows:

"We have examined seven witnesses and herewith return four true bills of indictment."

"We wish at this time to extend our sympathy to the family of one of our members, Mr. John Laird, who just passed away."

"We respectively request our discharge."

The report was signed L. Mitchell, foreman of the grand jury.

White Attacked Baby-Sitter

Man Indicted for Rape of Girl, 14, In Mississippi

JACKSON, Miss. — Hugh L. Morrow, a 48-year-old white carpenter, was indicted by the Hinds County grand jury here June 13, on charges of raping a 14-year-old baby sitter. The case may be tried in the present term of the Circuit Court, Judge M. M. McGowan said.

Sheriff Albert Jones served indictment papers Wednesday afternoon on the middle-aged carpenter who has been held in jail since the rape victim identified him shortly after the attack three weeks ago.

27e(2)

SECOND RAPE INDICTMENT

Jones said the girl told him Morrow hired her to take care of the Morrow children while he and his wife went fishing. Instead of taking her to the Morrow home, he drove her to a lonely gravel road on the edge of town and attacked her.

Morrow signed a written statement in which he admitted assaulting the girl who is a student of the local Negro high school.

This is the second time in recent months that white men have been indicted for raping Negroes in Mississippi.

ON WOMAN, 30

Lonnie Bevell and John B. Stuard, Batesville, Miss., face similar indictments at Vicksburg following an indictment involving a 30-year-old Negro woman near Eagle Lake, last New Year's Eve. The woman told officers the two men forcibly took her from a crossroads store to a hunting camp where they raped her.

The two men will go on trial during the July term of Warren County Circuit Court.

At Batesville, Miss., two other white men are in jail charged with the rape of a 12-year-old Negro girl they hired as a baby-sitter.

Sheriff E. B. Wilson, Panola County, identified them as Augusta Woods McGarrh, 28, and Glenn McCain, 29, both of Memphis, Tenn. He said the men hired the girl in Memphis, drove her to Mississippi, and raped her in a pasture.

Negro Girl Goes Before Grand Jury On Stretcher Here

27e(2)

A 14-year-old Negro girl went into to the grand jury room at the courthouse on a stretcher here Wednesday, just a few hours before the indictment of Hugh L. Morrow, 48-year-old white carpenter, on a charge of rape was announced.

Daily

The girl was brought to the court house in an ambulance and went up the elevator and into the grand jury room on a stretcher.

Morrow's indictment was one of four returned by the special recalled session of the grand jury.

The girl told Hinds sheriff's deputies here that she was picked up at her home on Banks street by the man whom she later identified in a [illegible] lineup. She said she was told that he wanted a baby-sitter while the family went fishing.

6-14-51

She said the man drove west on Highway 80 to the Wiggins road and turned off on a field road where the attack occurred. Her report also was that he brought her back to near her home and put her out of the car.

Morrow confessed, officers said, to the assault but claimed he did not forcibly "rape" her.

The girl required medical attention, and since has been reported as being in critical condition. A fund raising campaign among Negroes is underway here seeking $5,000 to assist in prosecution of the white man and to aid the girl and her family.

Negro Womanhood Defense Group Formed In Miss.

8279

JACKSON, Miss. —(SNS)— On Monday, a mass meeting of Negro citizens was held at Pratt Memorial Church to raise funds for the prosecution of Hugh L. Morrow, accused of raping a fourteen-year-old Negro girl the previous week.

Spokesman for the mass meeting pointed out that rape is a crime punishable by death in Mississippi and that no white man had ever incurred that penalty although there have been many such instances.

27e(2)

At the mass meeting, a group was formed of women prominent in Jackson civic, educational and religious affairs. The group was called the Negro Womanhood Defense Committee and committed itself to raise $10,000 for Morrow's prosecution.

Chairman of the meeting was Mrs. E. W. Barker. Mrs. Theresa Almore, president of the Parent Teachers Association, was named chairman of the Negro Womanhood Defense Committee.

The case allegedly originated on June 13 when Morrow asked that the victim be allowed to baby-sit with the children. Instead of taking her to his home, the victim testified that he took her to a wooded area and raped her.

The girl was threatened with drowning in a nearby lake if she resisted or screamed, she said. According to reports, Morrow was arrested a few hours after the crime and was said to have confessed the crime last Friday.

Negro Women Collecting Fund To Aid Girl Victim Of Assault By White Man

A collection of funds to pay for the hospital treatment of a 14-year-old Negro girl, who officers said was criminally assaulted by a middle-aged white man, is being taken by a group of local negro women.

8-31

The girl is in a critical condition at a local clinic.

27e(2)

The fund is being collected to defray the costs of her medical treatment, and to aid her family, who reportedly are in poor circumstances.

Meanwhile a white man, Hugh L. Morrow, 47-year-old carpenter, of 925 Langley avenue, has confessed to the crime, Sheriff Albert Jones said, and is being held in the Hinds county jail.

One Negro woman said that at the organization meeting for planning the collection of a hospital fund, the prosecution of the white man was mentioned.

She added, however, that the original purpose of the fund was to pay for the medical treatment of the young girl and to aid her family, and that she understood the family planned to let the law take its course in the case.

The young negro picked the man from a seven-man lineup, according to Sheriff Albert Jones.

The victim told officers she was picked up at her home on Banks street by a white man who told her that he and his wife were going fishing and wanted a baby sitter. She said her mother gave consent for her to go with him.

At Capitol Demonstration

Jail 41 McGee Pleaders in Miss.

(Special to the Courier)

JACKSON, Miss—State police arrested forty-one persons here Saturday on charges of "conspiring to obstruct justice" in connection with the Governor's hearing on a petition to pardon or commute the death sentence of Willie McGee, 36, convicted of an alleged criminal attack on a white woman in 1945.

And in the meantime the life cycle of the hapless father of four children is fast drawing to a close. Unless some positive action was taken in McGee's behalf by Gov. Fielding Wright of Mississippi, the World Waar II veteran was scheduled to pay with his life on Tuesday, May 8, for a crime for which strong doubt exists that he actually committed, and for which no white man has ever been executed in the State of Mississippi.

27e(2)

5-12-51

It is upon these latter grounds that nation-wide and international appeals are being made in McGee's behalf by widely known individuals and organizations. The forty-one suspects arrested here Saturday were rounded up as alleged "conspirators" in the vicinity of the capital building that was under heavy police guard while the Governor was holding the hearing in his capital chambers.

IN "PROTECTIVE CUSTODY"

Police took these "protective custody" steps in rounding up and dispersing any possible congregation of persons upon whom suspicion might fall as "obstructors" of justice. The forty-one were about evenly divided as to Negroes and whites. All were given the usual noon-day meal and later charged with a "misdemeanor of conspiracy to obstruct justice."

The charges implied that they congregated on street corners for the purpose of attempting to force their way into the capital building to "intimidate and impede" the Governor in the administration of justice.

27e(2)

In the meantime, scores of protest telegrams swamped the Governor's desk "in the interest of justice as it may be developed in future events."

NAACP LAWYERS BARRED

The hearing conducted by Governor Wright was held with lawyers of the Civil Rights Congress of Which Atty. William L. Patterson is executive secertary. A request by the national office of the NAACP that its legal representative be allowed at the hearing was denied by Governor Wright.

The Mississippi Chief Executive limited the hearing to "attorneys of record." The NAACP was denied on these grounds. The association's answer to the denial appealed to Governor Wright to conduct the hearing within "keeping with the American ideal of equal justice vouchsafed by our Constitution."

So far four different death dates have been set for McGee and each time they were set aside at the last moment. Several weeks ago the United States Supreme Court refused to review the case and sent it back to the Commonwealth of Mississippi.

JEWISH CONGRESS APPEALS

Among those making latest appeals to Governor Wright have been Rabbi Irving Miller, president of the American Jewish Congress; the American Civil Liberties Union, the United Labor Action Committee, and the National Lawyer's Guild.

In Washington at the beginning of the week-end, a delegation was slated to make an attempt to see President Truman at the White House in an effort to appeal to him directly, or to the Department of Justice and the State Department. A Detroit delegation led by William Hood, secretary of a Ford auto workers local, was among the group in Washington.

Concensus of all groups and individuals making appeals is that McGee is being made the innocent victim in a "legal lynching."

How The French Reacted To The McGee Execution

Afro American Magazine Section

(This letter appeared in La Depeche Africaine, published weekly at 53, rue de la Procession, Paris, France, and was translated from French by Dr. Frederick H. Dedmond, of Morgan State College)

27e(2)

In the Depeche of May 20, 1951, I expressed the painful emotion felt by all colored French men on learning of the execution of Willie McGee, who for six years had been imprisoned and condemned under the inculpation of having attacked a white woman.

Dat. 12-8-51

This sad news has stirred with equal resentment most of the population of Paris itself and the subject has been heatedly discussed throughout the country.

Miss

In France, Italy and even in America, responsible persons and groups representing varied interests had protested vigorously to the President of the United States, requesting him to employ his good offices in the interest of the doomed man, all of which proved in vain.

Seeking Justice, Humanity

If the Communist party, which takes every advantage of this sort of occasion, had made of this painful affair a simple instrument of propaganda in order to capture the sympathy of colored peoples, one must be mindful that, in this case, every person taking part in the discussion is concerned only with justice and humanity.

They all believe, as I do, that Willie McGee has been the victim, of the regrettable state of race prejudice which still plagues colored citizens living within the confines of American democracy.

Execution Defended

However, the letter that the Vice-Consul of the United States was good enough to send to me, which I am submitting to our readers, with his kind permission, affirm[illegible] that no racial consideration figured in "The McGee" affair and

That he (McGee) was condemned and executed because he had violated the virtue of a white woman and that colored people had taken part in the deliberations of the jury which decided McGee's fate and that his condemnation had been surrounded by all sorts of guarantees prescribed by the American law.

U.S. Consul Quoted

(At this point, Monsieur Maurice Satineau, Consul from Guadeloupe, reproduces the whole letter which was written to him by Thomas Cassily, the American Consul at Martinque.

The length of the letter is too great to be printed in detail here, but the translator gives a summary of its contents.)

The letter begins with a long and complete historic sketch of the whole McGee affair, including the crime, its importance to American society.

Baltimore

He complains about the 'unfairness of the Communists who, with their wickedness, played up the affair, giving rise to unholy propaganda which was disseminated among peoples who were in a position to receive only distorted stories of the affair.

(In reply to the letter just summarized Mr. Satineau gives the following impressions):

Dear Mr. Consul:

I have received your official report on the execution of Willie McGee, for which I am indeed grateful to you.

The fact remains that this execution has given rise to great resentment because it is generally believed here in this country (France) that the death of McGee represents an inhuman act, provoked by odious racial prejudice, and his death points up one more time the existence of prejudice in the United States.

It is true that racial prejudice in the U.S.A. is economic in origin, is due to slavery which finally resulted in the secession of the Southern States and the Civil War that developed between the North and the South.

It is also the consequence of the absurd theories of inequalities of the races, the superiority of the white race and the inferiority of the colore drace.

"Whites Not Superior"

All of these theories have been proved false and it is definitely established that human beings, given the same educational and cultural advantages, will develop equally well, regardless of the race or color.

We have to cite only one name that you have mentioned in your letter, that of Dr. Ralph Bunche, famous mediator of Palestine, to support our point.

And, we can place in relief the names of other eminent personalities such as Monsieur Gaston Monnerville, President of the French Senate, one of the most brilliant lawyers in Paris and a remarkable speaker.

Now, my dear Ambassador, why would racial prejudice be maintained? Why deny society the fruits of a large fraction of your population? Why do the Americans fail to work for the fusion of the races, white and black, as the French have done?

Urges Mixing of Races

The fusion of the races in the same crevet of American life would not only be a masterpiece of democray, but would also go a long way towards easing universal tension.

American civilization, based on the genious, wisdon and idealism of American leaders, must not give the impression that with all its splendor, it is a bottomless pit of iniquity for the colored race.

You may say, my dear Mr. Consul, that great strides have been made by both races in the United States under existing conditions, but you must admit that the progress has been painfully slow and hampered by many obstacles.

If the Colored American is going to have to wait for an endless number of centuries before he is recognized in terms of his true value, then the injustice of his plight will be great enough to force him to turn his face from heaven and bow his head towards the ground like an animal lost in the obscurity of his instincts without hope of ever being enlightened and guided by the light of truth and the blessings of common sense.

Yours very truly,
MAURICE SATINEAU,
Senator From Guadeloupe

WHITE CARPENTER ACQUITTED ON CHARGE HE RAPED 14-YEAR-OLD NEGRO GIRL BABY-SITTER

Black Dispatch P. 12

Defendant Tells Court Girl Gave Consent to Sex Relationship and That He Used No Force in Act

Dat. 12-13-51

THREATENED TO THROW GIRL IN LAKE

Oklahoma City, Okla.

By James B. Lafourche

JACKSON, Miss. — (ANP) — The accused white rapist of a 14-year-old Negro girl was freed here Dec. 5, when an all-whitejury reported to Judge M. McGowan that it was unable to reach a verdict. Accused of the criminal assault was Hugh L. Morrow, 41-year-old white carpenter. The jury voted 8 to 4 for acquittal.

The public was barred from the hearing as the case went to the jury the previous Tuesday, after a day of testimony in which the girl, an eighth grade student testified as to the assault.

Among the 12 character witnesses to testify as to Morrow's "good character" were the pastor of his church, the Rev. L. W. Forrell, and his wife.

The jury had been given three choices: (1) To give the death penalty; (2) to give a life sentence, or (3) to declare the accused innocent.

27e(2) Miss

The child was lured from her home last May 31 by Morrow under the pretense that he wished her to work as a baby-sitter.

Defense attorneys brought the defendant to the stand where he denied forcible rape, but admitted committing the sex act.

Judge McGowan overruled a motion by the defense to exclude the state testimony because "It failed to prove the crime charged in the indictment."

The state concluded its testimony by putting a Clinton doctor on the witness stand.

Morrow told the court that the girl consented to the act, but on cross examination by the district attorney admitted that she cried and once he put his hand over her mouth to keep her from crying out.

He testified that the girl's panties were found under the seat of his car by investigating officers.

Attorneys for Morrow told the jury in their argument that the defendant admitted intercourse, but denied forcible rape as alleged by the state.

First witness for the state was the victim. She broke down and cried on the witness stand, under cross examination by defense counsel. The child told the state prosecutor that Morrow came to her home in the southwestern part of the city and said that he wanted a baby-sitter. She said that her mother went out to the car and talked with him.

The child told how he pulled her down on the seat of the car after turning off on a gravel street and that she did not see anything else until he stopped the car in the field.

The sobbing victim testified that she cried and yelled and twice tried to get out of the car, but that Morrow overpowered her, threw her down on the automobile seat which he had removed from the car.

She said that she did not fight

him because she was afraid. She told the court that Morrow had threatened to "throw her in the lake," if she dared to resist him. She said she begged him not to do that but he vowed to kill her if she mentioned the incident. Following the attack the child was put out of the car a half block from her home.

Morrow was identified by the victim at the Hinds county jail on the same day of the alleged attack. The girl admitted on cross examination that on the day of the attack she weighed 140 pounds.

She said that she came to the courthouse twice the day of the assault and once the following day. She also stated that she had gone with city policemen and detectives to the scene on the same day of the assault.

The child insisted that she was telling the truth, but broke down following sharp clashes between the defense attorneys and the state prosecutor. Testimony was introduced showing that three doctors had attended the girl.

The case heard behind closed doors, was repeatedly spurred on by Judge McGowan.

The girl's mother took the stand and said that on the return of her daughter home, the latter was crying and showed signs of having been assaulted.

Arresting deputies said that the girl was able to identify Morrow out of a lineup of seven men. The child furnished arresting officers with an auto tag number which was not correct, But her description of a late model black Chevrolet was to the point.

The state presented as witnesses the girl, her mother, two county officers and a doctor who attended the girl.

The state's prosecutors, Julian Alexander and Hugh Gillespie, were assisted by John J. Burkett, special counsel engaged for the trial.

27e(2) 1951

New York

8276

Two Scottsboro Case Figures Facing Trials

ALBANY, N.Y.—Two of the Scottsboro boys were back in the news last week, one arrested on a first degree rape charge involving a 13-year-old girl, and the other held without bail, awaiting his third trial on a charge of murder.

7-21-51

James Andrews Wright, 39, was held in Albany, N. Y., when a young girl told her mother that Wright had attacked her, and threatened to cut her throat if she told, police said.

27e(2)

Wright, who was employed as a weaver in a near-by textile plant, told detectives as he was led from police court; well, I've been through this before.

IN DETROIT, Haywood Patterson, author of a book reviewing the Scottsboro case, awaited his third trial on charges of murdering a factory worker, Willie Mitchell, last December.

Previous trials had ended in a hung jury for the first trial, and a mistrial in the second, when it was reported that courtroom spectators had talked to several of the jurors.

Patterson, who pleaded innocent to the charge, is expected to be tried again in the fall. He was working for a construction company at the time of his arrest.

27e(2) 1951

New York

Woman Prisoner, Son Facing Chair Say Goodby

27e(2) N.Y.

OSSINING, N. Y. Jan. 11 (AP).—A mother bid her condemned son an eleventh-hour goodby in Sing Sing death house today, then turned away dry-eye and went back to prison herself.

For the condemned man, Harley G. Lamarr, 20, it was the first and last visit in nine months in the death house.

Jan 12-51

Lamarr was condemned for the rape-slaying of a Buffalo clubwoman.

The mother, Mrs. Amelia Paliwodzinski, 46, is serving 30 years in Women's State Prison at Bedford Hills for slaying her husband a year ago.

Attendants drove the woman to Sing Sing. The boy and the mother had 20 minutes together. Then Mrs. Paliwodzinski walked out, still outwardly calm. In a short time she was back in Women's Prison.

Child's Sex Killer Gets Life Term

BUFFALO, N.Y.—Judge Carlton A. Fisher of Erie County Court accepted the recommendation of an all-male jury Monday in sentencing the felony murderer of 6-year-old Barbara Faulkner to life imprisonment.

Edwin G. Rost, 58-year-old white junk dealer and stockyard worker, was convicted of first-degree murder after a [illegible]-day trial as a result of the carnal assault and brutal killing of the child in an open field near her South Buffalo home last January 15.

Barbara, who lived with her parents, Mr. and Mrs. James Faulkner, and nine sisters and brothers at 328 Baraga St. went out about 5:30 on the evening of the killing with a sister to return some empty soda pop bottles to two different grocery stores.

27e(2)

Barbara's naked body was found the next day at the base of a pile of rotting timber. Part of her petticoat was tied around her wrist and her shirt was wrapped around her neck. The skull had been fractured by a wooden plank.

N.Y.

The aroused city got prompt action from Police Commissioner Michael Noepple who cancelled all leaves and assigned every available policeman to the case. Rost was arrested as a suspect and questioned with scores of other suspected sex offenders.

Dr. Samuel Yochelson, one of two defense psychiatrists, said that Rost had admitted assaulting over 200 boys and girls. He called Rost a pathological liar with a constitutional psycopathic personality for sexual perversion.

Barbara was the youngest of ten children, called Bonnie or Dolliface by her admiring family. These include Mack. 23; James, 22; Shirley 21; Eleanor, 19; Rita 17; Leo; 14 Louis 12 Gloria, 10 and Delores, 7.

Mrs. Faulkner who was hysterical at the trial and had to be taken out, had been downtown on business on the day of the killing and left Rita in charge of the children. Their father is a laborer at Republic Steel Plant.

Scottsboro Boy Held For Rape

ALBANY, N. Y., July 11 — (AP) —A Negro identified as one of the "Scottsboro boys" was accused Wednesday or raping a 13-year-old Negro girl in her home here.

Advertiser

The man, booked as James Wright, 39, was charged with first degree rape. He pleaded innocent in Police Court and was jailed pending an examination July 19.

Wright told police he was one of the nine Negroes in the celebrated Alabama rape case of two decades ago.

7-12-51

Dr. Joseph B. Robinson, an Albany physician, who said he was sponsoring Wright while the Negro was on parole from Alabama, confirmed his identity. He said the man's full name was James Andrew Wright and that he was the "Andy Wright" of the Scottsboro case.

27e(2)

Albany Police said the 13-year-old girl told her mother she had been raped in her home July 3 and her assailant had threatened to cut her throat if she informed her parents. She kept silent until Tuesday, police said.

Wright and eight others were charged with raping two white girls March 25, 1931, in a freight car near Scottsboro, Ala. Their convictions were appealed several times to the U. S. Supreme Court.

Andy Wright was sentenced to death in April, 1931. An appeal to the U. S. Supreme Court won him a new trial in Decatur, Ala., in 1937, and he later was sentenced to 99 years in prison. He was paroled June 9, 1950.

Alabama Parole Board Secretary L. B. Stephens said in Montgomery that Wright will be declared a parole violator, but that the state will insist on the Negro being tried on the New York rape charge.

Advertiser 7-12-51

Whe Wright was released from an Alabama prison last year, he was put under supervision of New York State parole authorities under an interstate compact, Stephens said.

'Scottsboro boy' held on new rape charge

ALBANY, N. Y., July 11—(AP)—A Negro who said he was one of the "Scottsboro boys" was arrested here today on a charge of raping a 13-year-old Negro girl.

Police booked the man as James Wright, 39, of Albany. In Police Court he pleaded innocent to a charge of first degree rape and was jailed pending an examination July 19.

27e(2)

7-11-51

The "Scottsboro Case," involving nine Negroes ranging in age from 13 to 21," began March 25, 1931, when they were accused of raping two white girls in a freight car near Scottsboro, Ala.

Their convictions were appealed several times to the U. S. Supreme Court.

THE APPEALS were based largely on defense contentions that Negroes had been excluded from the jury panel and that the charges were framed.

Albany police said Wright came here 32 months ago under the sponsorship of persons interested in his welfare.

The police said that the 13-year-old Albany girl reported she had been raped at her home and that the assailant had threatened to cut her throat if she told her parents.

The girl remained silent until yesterday, when she told her mother, police said.

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rd Westchester Judge
Threats in Jailing

~~Special to the Herald Tribune~~

ITE PLAINS, N. Y., July 12. vo deputy sheriffs were as- ned today to guard Judge Ar- ur D. Brennan after an outburst Westchester County Court by one of three brothers of a defendant sentenced to a year in the Westchester County penitentiary and fined $500.

7-13-51

The defendant, Philip Costello, forty-four, of 130 W. 4th St., Mount Vernon, had been convicted of third-degree assault in the attempted rape of Mrs. Theresa Riccardi, ~~thirty-seven,~~ mother of five children, of 14 Vineyard Ave., Yonkers. Mrs. Riccardi has been awarded $5,000 damages in a civil action against Costello.

When sentence was imposed, one of the three brothers, ~~not~~ identified, called out, "This is not justice. We'll find out what is justice in this county or anywhere else." As bailiffs ejected the three brothers from the courtroom, the defendant, locked in a detention cell, called out a threat to "get even, if anything happens to my brother."

27e(2) N.Y.

27e(2) 1951

North Carolina

8280

19-Year Old North Carolina Negro Youth Faces Death June 22 In New Rape Frame-Up

27e(2)

Call

6-22-51

Kansas City

WINSTON SALEM, N. C. — Clyde Brown, a 19-year-old Negro youth, has been sentenced to die on Friday, June 22, for allegedly "beating and raping" a white high school student here in June, 1950, the Civil Rights Congress has been informed.

The execution date was set by the State of North Carolina following refusal by the Supreme Court on Monday, June 4, to grant a review. Justices Hugo Black and William O. Douglas disagreed with the majority and favored consideration of the case.

In reporting the execution date, William L. Patterson, CRC executive secretary, declared, "During Brown's trial, Negroes were excluded from the jury. A prejudiced atmosphere was created by the local press. There was conflicting testimony by the witnesses. The girl who charged rape said in court she didn't remember the event because of an alleged beating."

"Yet a nearby store-keeper, the first person to arrive on the scene of the alleged crime—the girl's father's radio shop...denied seeing any evidence of the girl's charge of a beating or of assault. Brown himself has consistently denied her charge".

Patterson continued. "Still another innocent Negro, a young man of nineteen, is being readied for another racist murder like those of the Martinsville Seven, Willie McGee and Edward Honeycutt. In North Carolina as in the other states, unequal racist justice sentences a Negro to death for so-called rape where no white man is ever given the death penalty."

Brown's attorneys are Herman Taylor of Raleigh and Hosea V. Price of Winston Salem. Taylor was retained by the People's Defense Committee of North Carolina, which was formed to defend the Daniels Cousins, two teen-age youth facing death on so-called murder charges.

Shortly after the first trial, more than 1,000 Negro and white workers held a meeting in Winston Salem to protest young Brown's death sentence and raise funds for his court appeal.

Although no announcement has been made by Brown's present counsel of their next legal step, it is believed they will file a writ of habeas corpus in the next few days in an effort to stay Brown's execution.

Patterson has suggested an immediate flow of telegrams and letters to Governor Kerr Scott in Raleigh, North Carolina, urging executive clemency.

Patterson pointed out in his statement that the same two Supreme Court Justices who voted to review Brown's case "were also paired in the defense of the Bill of Rights in the case of the Communist leaders—an indication of the relationship of the rights of the minority Negro people to those of the minority political party, the Communist Party."

He added that "regardless of other differences, all Negro and progressive white organizations must unite and rally to the support of Clyde Brown. The legal lynching of one innocent American Negro after another can be brought to a halt if labor and a united Negro people fight resolutely against them."

N. C. Judge Re-Jails White Man Acquitted of Raping Negro Girl

27e(2)

8-4-51

New York

WINTON, N. C., Aug. 3 (UP).—An outraged judge ordered a white man, acquitted of a morals charge involving a fifteen-year-old Negro girl, back to jail today on a rape warrant for the same offense, declaring bitterly I am "ashamed of my race."

Eighty-year-old Judge Henry A. Grady, the oldest Superior Court jurist in North Carolina, furiously denounced the all-white male jury which acquitted Frank Newsome, forty-five-year-old tenant farmer's son, and said if he had his way "none of them would ever sit on a jury again."

"The evidence was overwhelming in favor of the state. The verdict was based solely on the fact that the prosecuting witness was a colored girl and the defendant a white man," the dignified, white-haired jurist said.

Defendant Is a Father

Newsome, married and father of three, operates a delicatessen in Mamaroneck, N. Y. He was arrested last June and charged with attacking Hattie Louise Hoggard. The slim, quiet Negro girl told officers Newsome hired her as a baby sitter while he was visiting his father here and raped her five times at her brother's home.

A grand jury from this rural northeastern county, whose population is 62 per cent Negro, changed the indictment bill from rape to carnal knowledge. Rape is punishable by death in North Carolina, carnal knowledge offenses by up to thirty years in prison.

The jury's verdict was "a disgrace to the white race," Judge Grady said. He doubted whether another trial here would bring a conviction and said he told Solicitor E. R. Tyler "I would move it out of the county and get a jury with sense enough and character enough to do the right thing."

New Bill to Be Drawn

Newsome's attorneys said they were considering asking for a habeas corpus, but have made no move yet to free the prisoner. Mr. Tyler said he would draw a new bill charging Newsome with rape for presentment to the October grand jury.

The jurors themselves thought their verdict "exactly just."

"The judge and the solicitor advised us along the lines of the law and we followed their advice," said J. P. Wheedbee, a merchant. "No other verdict could have been returned under the circumstances."

County Clerk Arthur W. Greene said Judge Grady's "tongue-lashing" stirred up resentment here. The Negroes were upset about the verdict, and the whites about the judge's denunciations, he said.

"We don't expect any trouble," Mr. Greene added. "The relationship between white and colored people here has been ideal for many years."

Man Charged With Raping Negro Girl Freed Second Time

27e(2)

Black Dispatch

WINTON, N. C. — (ANP) — For the second time a grand jury has refused to indict Frank Newsome, 45, Mamaroneck, N. Y. white, delicatessen store operators of charges of raping a 15-year-old Negro girl.

11-16-51

A Hertford County Grand jury last week dismissed charges of perjury, rape and assault on a female which had been placed against Newsome.

Three charges were placed against Newsome by Judge Henry A. Grady, who sharply criticized a jury for freeing him in Superior Court here Aug. 2.

Newsome, acquitted on the charge of having carnal knowledge of the young colored girl, was re-arrested on a bench warrant and charged with rape, assault on a female and perjury.

27e(2)

When arrested last July, the grand jury reduced the charge against him from rape to that of carnal knowledge, a lesser crime.

Judge Grady, in scoring the jury on Aug. 2, called the acquittal verdict "the greatest miscarriage of justice" during his 29 years on the bench. He charged the jurors were influenced unduly by the fact that the prosecution witness was a colored girl and the defendant a white man.

N.C.

The judge also charged that the defendant had lied in his testimony in the case.

White Man Accused by Negro Girl Acquitted; Outraged Judge Jails Him on Rape Warrant

8-8-51

27e (2)

WINTON, N. C., Aug. 8 (UP)—An outraged old judge ordered a white man, acquitted of a morals charge involving a 15-year-old Negro girl, back to jail today on a rape warrant for the same offense, declaring bitterly, "I am ashamed of my state."

Judge Henry A. Grady, 88 years old, of Superior Court, denounced the all-white male jury that acquitted Frank Newsome, 45-year-old Mamaroneck, N. Y., delicatessen operator, and said if he had his way "none of them would ever sit on a jury again."

"The evidence was overwhelmingly in favor of the state. The verdict was based solely on the fact that the prosecuting witness was a colored girl and the defendant a white man," Judge Grady said.

New York

Newsome, married and the father of three, was arrested last June and charged with attacking the girl, who told officers he had hired her as a baby-sitter while he was visiting his father, a tenant farmer here, and had raped her five times at her brother's home.

A grand jury from this rural county, whose population is 62 per cent Negro, changed the indictment bill from rape to carnal knowledge. Rape is punishable by death in North Carolina, carnal knowledge offenses by up to thirty years in prison.

The jury's verdict was "a disgrace to the white race," Judge Grady said. He doubted whether another trial here would bring a conviction and said he told Solicitor E. R. Tyler, "I would move it out of the county to get a jury with sense enough and character enough to do the right thing."

Mr. Tyler said he would draw a new bill changing Newsome with rape for presentment to the October grand jury. The jurors themselves thought their verdict "exactly just."

Law Protects One Race

No Crime To Rape Negro Women In The Southland

27e (2) N.C.

From The Carolina Times

Unless U. S. Army officials do more than they have done in the past, nothing will come of the raping of the young Negro mother by six white soldiers near Carthage. This newspaper attaches little significance to the report that army officials are making a serious attempt to apprehend the culprits of what may be termed the year's most sordid crime.

The action of the army officials, we think, will follow the age old pattern that is usually followed in the South when white men rape Negro women, and that is complete absolution of the criminals, even when they are caught red-handed. If army officials are looking for the men we suspect they are like a lazy man looking for a job, they are praying to the Lord not to find them.

The Carolina Times recalls another case of a young Negro woman who was raped and forced to submit to sodomy by two white soldiers on a pullman car in this State during World War II. In this instance the men were apprehended and army officials went through the mockery of a long court-martial only to absolve the men in the end.

The record of North Carolina, like that of the rest of the South, discloses that it is seldom that a grand jury will indict a white man for raping a Negro woman, even when there is a confession or absolute proof. To save such offenders from having to face the death penalty the charge is often changed to one of a lesser degree.

Journal and Guide

Recently the grand jury of Hertford county was blasted by Judge Henry A. Grady of this State for refusing to indict a white man for rape on a 15-year-old Negro girl, in what was described by many as one of the most wanton crimes ever committed in Hertford County. The grand jury, after hearing the evidence, deliberately reduced the charge to "carnal knowledge of a female under 16 years of age." Judge Grady had the man re-arrested and placed in jail on a charge of rape.

In Burlington recently it took the entire aroused Negro community to get a white man arrested and charged with rape after he had committed the crime against a highly respected Shaw University student who was home for the Easter holidays.

The six young white men who committed this vile crime against a Negro woman probably got the foundation from their homes, churches and schools. Here of all places they were taught that the proper place for their foot is on a Negro's neck. So what difference would it make to follow through with rape to satisfy their lust on a Negro woman. They probably have never in their lives been punished for anything they have done against a Negro.

Date 9-29-51

The white child who is taught by his elders, both by precept and example, that the color of his skin makes him superior and therefore gives him the right to kick those around with a different color of skin will grow up with that belief. One cannot live white supremary in churches, schools, buses, theatres, employment, the courts and other places and then abandon it and practice respect for human personality in other areas. Such an idea is ridiculous and in the end will result in such crimes as those mentioned above.

Norfolk, Va.

The death penalty for rape in North Carolina and the South while not written into the law as such, is for Negroes only. Every white citizen knows it and U. S. Army officials understand it. Yankees are always easy victims of the disease of white supremacy, which when they once catch it, are usually more contemptible in its practice than the most rabid southerner.

JUDGE'S EDICT IGNORED:

Man Ordered Tried 2nd Time for Attack Is Freed

Afro-American, Dat. 10-27-51

WINTON, N.C. — A 45-year-old white man whose acquittal on charges of criminally attacking a 15-year-old girl last August was blasted by the trial judge as a "miscarriage of justice" and a disgrace, was freed here last week, for the second time.

An all-white grand jury refused to indict Frank Newsome, a native of North Carolina, on any of the three counts contained in a bench warrant issued by Judge Henry A. Grady.

27e (2) N.C.

Hired as Baby Sitter

The girl had charged that Newsome who now operates a delicatessen store in Mamaroneck, N.Y., attacked her five times as he was taking her to his home to be a baby sitter for his children.

Baltimore

He was spending his vacation in this area at the time.

Worst in 29 Years

However, when the case came to trial on Aug. 2, he was freed and it was this verdict which Judge Grady blasted and then issued a bench warrant charging Newsome with three counts of perjury and attack upon a female. Newsome then was re-arrested and held without bail.

But the October grand jury refused to bring in an indictment on any of the charges and Newsome was freed for the second time.

After the first trial, following the jury's dismissal of Newsome, Judge Grady called the acquittal "the greatest miscarriage of justice" during his 29 years on the bench. He charged the jurors were influenced unduly by the fact that the prosecution witness was a colored girl and the defendant awas a white man.

NORTH CAROLINA JURY FAILS TO AGREE ON "LONG DISTANCE" RAPE CHARGE AGAINST NEGRO

Black Dispatch

12 Men, Tried and True, Look Dubious At Fake Charge; Man Was Never In 75 Feet of Prosecutrix

Sat. 11-24-51 P. 1

STABLE FARMER HAD GOOD DEFENSE

YANCEYVILLE, N. C. — (ANP) — Judge J. A. Rousseau declared a mistrial, Friday, in the case of a Negro farmer whose "looking" at a 17-year-old white girl caused him to be tried for attempted rape.

A jury of four Negroes and eight whites failed to agree on a decision after nearly 24 hours of deliberation on the case.

Accused in the case was Mack Ingram, 44, who last June was sentenced to two years and fined $200 for alleged assault on a female in a Caswell Recorder's court, because he eyed her suspiciously although he did not come closer than 75 feet to her.

Oklahoma City, Okla.

The accuser was Willie Jean Boswell, 17, who started the whole thing last summer when she felt he eyed her "peculiarly" as she was walking across her father's farm.

27e(2)

Ingram's case gained national attention last summer when two national news magazines publicized his story after daily newspapers had ignored it.

N.C.

Ingram told the court that he had stopped at the Boswell farm to borrow a trailer from the girl's father. He said he stopped his automobile and looked for someone to whom he could speak, but he did not chase the girl. At the time the girl wore overalls, and he was at least 75 feet away from her at all times.

The NAACP took up Ingram's cause in the case, and a new trial was granted him in Superior court.

A grand jury indicted him for assault with attempt to commit rape although it was established that he never did more than look at the girl.

During the trial, itself, however, the charges were reduced to that of a misdemeanor, attempt to assault a female.

In his orders to the jury, Judge Rousseau pointed out that Ingram could be guilty of assault although he did not come within striking distance of the girl.

Testimony in the case was completed Thursday, but the jury could not come to a decision that night. Jurors were sent home because there were no hotels in the city of Yanceyville that would accommodate both colored and whites.

Friday, the jury convened again, but could not come to a decision.

Mistrial Called For Negro Cited For 'Leer' at Girl

Herald Journal Syracuse

Jury Deadlocked 10-2 for Conviction in 'Assault' on White Farmer's Daughter

Sat. 11-17-51

YANCEYVILLE, N. C., Nov. 16 (AP).—A mistrial was ordered today in the case of a Negro sharecropper accused of assaulting a seventeen-year-old white girl by allegedly leering at her and chasing her.

New York

The mistrial was ordered by Judge J. A. Rousseau after the all-male jury, composed of four Negroes and eight whites, deliberated for about five hours yesterday and today and reported it was "hopelessly deadlocked."

Foreman C. J. Long told the court that the jury had voted ten for conviction and two for acquittal. He said two Negroes had held out for acquittal.

The incident on which the trial is based occurred June 4. The girl, then Willie Jean Boswell, now Mrs. Webster, said she was on her way to join her father and brothers working in a tobacco field.

27e(2)

She testified that Mr. Ingram, the father of nine children, passed her in his car with his head sticking out of the window. He leered at her, she stated, and she began running across a corn field when she heard his car stop. She testified he followed her across the field, although the closest he approached her was sixty-eight feet.

Mr. Ingram, who elected not to take the stand, denied the charge to officers. He told authorities he left his automobile and went into the field to try to borrow a trailer.

Judge Rousseau ordered the case continued on the Superior Court docket. The next term is scheduled for March. The judge added that he thought there had been evidence of a "display of violence—evidence that the defendant chased the girl." . . .

Both Judge Rousseau and Solicitor R. J. Scott emphasized that under the charge a defendant does not actually have to touch or even be within striking distance of the victim to be guilty. "Intentional acts of violence or intentional display of force that causes a person to become reasonably apprehensive of imminent danger," explained the judge, constitute an assault.

Mr. Ingram, who had sat in silence throughout the trial, was released under the same $1,500 bond he posted after his appeal from Recorder's Court conviction on the charge last summer.

Jury Fails To Agree in Ingram Case

Call

Fri. 11-23-51 P. 1

10 Would Convict Farmer But Two Members Hold Out

Kansas City

YANCEYVILLE, N. C. — The strange case of the man accused of "assault" when he only "looked at" a 17-year-old white girl from a distance of 75 feet, ended in a mistrial Thursday, Nov. 15, as a jury of eight white and four Negro men told Judge J. A. Rousseau that they could not reach a verdict.

27e(2)

As a result of the hung jury, Max Ingram, 44-year-old Caswell county farmer, will undergo trial for the third time on an assault charge growing out of the teenager girl's accusations that "he looked at me funny" and "leered at me."

N.C.

A new trial for Ingram, father of nine children, Friday was ordered by Judge J. A. Rousseau of Yanceyville after a superior court jury reported a deadlock at 10 to 2 for conviction. The case will be tried at the next session of the Caswell County court which normally falls in February.

Foreman C. J. Long said two of the four Negro jurors had held out for acquittal.

Ingram's 17-year-old accuser, now Mrs. Edward Webster, never claimed he touched me. She testified that "he leered at me" and also pursued her a short distance in a tobacco patch.

Ingram, who was defended by a battery of lawyers from the National Association for the Advancement of Colored People, said he had gone up the same path as the girl because he wanted to borrow a trailer from her father.

The case has stirred world-wide interest with London newspapers covering the trial.

Call

The charges are based on a law dating back to the Reconstruction era following the Civil War when the Ku Klux Klan was active in the South. The law says assault may be any act inspiring fear in another. The ancient North Carolina law provides that a defendent does not necessarily have to touch or even be within striking distance of a victim to be guilty.

11-23-51

The ending of the trial marked the second encounter Ingram has had with the courts in an effort to free himself of charges made by the white girl. The accuser told the court "he leered at me" and "he looked at me funny" from a distance of "65 to 70 feet" in a tobacco patch and on a country road last June 4.

Earlier, the sharecropper was convicted for "intent to assault a female" and given two years imprisonment and fined $200. He went free between trials on a $5-thousand bond. A grand jury last Monday indicted him on an "assault with intent to rape" charge, but Judge Rousseau threw out the rape part of the allegation.

The announcement of the deadlock in the case found the little courtroom packed with more than 400 persons, the gallery included a reporter from the London Daily Mail.

Defense attorneys contended that Ingram thought the girl, attired in a straw hat and checkered shirt, was a boy and that their client was looking for a trailer at the time of the alleged incident.

Call

Wide attention was given the trial of Ingram. Communist propagandists used the case as an example of racial injustice practiced in the United States.

Five of six lawyers who defended Ingram were furnished him by the National Association for the Advancement of Colored People. The NAACP lawyers in the case were Martin A. Martin, Richmond, Va.; Fred Upchurch Jr., Conrad O. Pearson of Durham; Fred Upchurch Sr., and Robert L. Carter of New York.

The setting also added to interest in the case. Yanceyville, in the Reconstruction era following the Civil War, was a headquarters for the original Ku Klu Klan and a hotbed of its night riding activities.

11-23-51

Another fact of interest was the use of an old North Carolina law, stemming from the Reconstruction period when the whites feared the freedmen. This law holds that assault may be committed merely by making a person afraid and forcing him to flee, although the aggressor may not be even within striking distance.

The incident on which the charge against Ingram was based occurred June 4. The alleged victim, unmarried at the time, was Willie Jean Boswell, 17.

She was on her way to join her father and brothers working in a tobacco field when Ingram passed her in his car. She said he stuck his head out of the car window and leered at her.

She ran across a corn field when she heard his car stop. The young woman said Ingram followed her into the field, although the closest he approached her was about 68 feet.

Ingram did not take the witness stand, but his attorney presented the same explanation Ingram had given authorities. Ingram's defense was that he had no intention of harming the young woman, that he left his car and went into the field with the intention of trying to borrow a trailer from her father and followed the route she took only because both were headed for the same destination.

The prosecution, however, asserted that Ingram ran after the girl and that he returned to his car when she outdistanced him, indicating his interest was in her.

In his comments to the jury after acknowledging continuation of deliberations was useless, Judge Rousseau expressed belief that the jurors had been given evidence of a display of violence, "evidence that the defendant chased the girl."

"I guess you gentlemen did the best you could," he said. "I can see where you disagreed—maybe.

"'I tell you gentlemen further that if there had been no evidence of the defendant doing more than leering at the prosecuting witness, the case would not have been submitted to you."

He told the jurors that assault under the state's law is constituted by "intentional acts of violence or intentional display of force that causes a person to become reasonably apprehensive of imminent danger."

Ingram was released under $1,500 bond, as he had been free prior to the trial, pending the next term of court scheduled for February or March.

Solicitor R. J. Scott said he had no intention of dropping further prosecution of the case.

Attorneys for the National Association for the Advancement of Colored People, who were defending Ingram, did not place him on the witness stand because it was felt that the state had no evidence that could convict him.

Fred Upchurch Jr., in summing up the defense, asserted that the whole case was the "result of a girl's overvivid imagination, a father's natural concern, and an officer's overzealousness in an attempt to be a Sherlock Holmes." He told the jury that "my home county and not Mack Ingram is on trial here."

Martin A. Martin, NAACP attorney from Richmond, Va., tore apart the state's contention that because the 95 steps Ingram took covered a distance of 236 feet, they were therefore "running steps." Mr. Martin pointed out that this stride of not quite two-and-a-half feet was smaller than the walking step of the average man. He said that the defendant had not pursued the girl, but had walked in a different direction, seeking to borrow a trailer to haul wood.

Two of Them Refused to Jail Man on 'Looking' Charge

Here's the Yanceyville, N.C. jury which heard the strange case of Mack Ingram, 44-year-old father of nine, charged with 'looking at' a 17-year-old white girl. Two of the four colored jurors, seated at left, told the court they could not believe Ingram guilty of assault and refused to convict him. Judge J. A. Rousseau was forced to declare a mistrial. He has set the case for further hearing at a later date.

27e(2) 1951 North Carolina

8282

2 Negro Jurors Hold Out!

'Eye-Balling' Case Ends In Mistrial

Courier

~~Sat~~ 11-24-51

Prosecution Claims Tenant Farmer 'Undressed' White Girl 'With His Eyes'; Decision Displeases Judge; Mixed Jury Denied Rooms in Hotel

~~Pittsburgh, Pa.~~

(Pictures of trial will appear in next week's Courier)

By A. M. RIVERA Jr.

YANCEYVILLE, N. C. — Caswell County Superior Court Judge J. A. Rousseau expressed displeasure here last week because a jury of eight whites and four Negroes failed to convict Mack Ingram in North Carolina's famous "reckless eye-balling" case.

After the jurors were unable to reach a verdict, Judge Rousseau, a native of North Wilkesboro, N. C., said: "I guess you gentlemen did the best you could. I can see where you disagreed, maybe."

27e(2)

Then, in a speech which was unique for a Superior Court jurist in a mistrial case, Judge Rousseau added: "I tell you gentlemen further that if there had been no evidence of the defendant doing more than leering at the prosecuting witness the case would not have been submitted to you."

N.C.

The Tar Heel jurist then went on to say that he thought there had been evidence of a "display of violence . . . evidence that the defendant chased the girl."

Ingram, 44-year-old tenant farmer and father of nine children, was originally accused of attempted rape of a 17-year-old white girl. At no time however has it been alleged that Ingram was nearer than seventy feet. The law of assault in North Carolina is vague, indefinite and uncertain except when a Negro is charged with any misconduc where a white woman is involved.

The prosecutrix charged that Ingram "leered at me," an expression which the prosecution emphasized in the argument to the jury. Solicitor Ralph J. Scott told the jurors that Ingram "undressed this lovely little lady with his eyes."

The strategy of the prosecution was to stress the beauty and brute comparisons which they did by referring to Mack Ingram as a "rotten apple" and to the girl as "a lovely little lady."

Courier

The prosecution professed to have a high regard for the Negro race in general, but when referring to Ingram said "there are rotten apples in that race just as there are in the white race."

Sat. 11-24-51

The antics of private Prosecutor C. L. Pemberton were calculated to appeal to the emotions of those backwoodsmen whom he asked to "protect the women of our state." Pemberton cavorted before the court in a manner designed to mimic Ingram's alleged "leering" at the white girl. Since the "incident" of last June 4, she has become Mrs. Edward Webster.

Pittsburgh

The trial which was conducted in the Caswell County Courthouse, an ante-bellum structure built by slave labor, attracted newsmen from as far away as London. Stanley Mays, a reporter from the New York office of the London Daily Mirror, covered the trial for his newspaper.

The case was heard in a county fair atmosphere. She salesmen and vendors of snake oil vied with a hefty backwoodsman for customers.

Ingram was represented by four NAACP lawyers and two local white attorneys. Atty. Robert Carter represented the national office, Martin A. Martin came in from Richmond and C. O. Pearson and M. E. Johnson represented the State NAACP. The white attorneys were E. F. Upchurch of Yanceyville and E. F. Upchurch Jr., Highpoint, N. C.

Prosecuting for the state were Ralph J. Scott, W. B. Horton and C. L. Pemberton.

Ingram, who did not testify, was arrested last June and indicted on a charge of assault with intent to commit rape on a female. In the records court trial the charge was reduced to assault on a female. Ingram was convicted and sentenced to two years in prison. He appealed, and, later, when Northern and European newspapers reprinted stories from Negro weeklies the incident mushroomed into international proportions.

Last Monday Ingram was indicted on the original charge ~~of assault with intent to com~~mit rape on a female. Through his attorneys Ingram insisted that his testimony given at the time of his arrest and in the records court hearing was true. Luckily for him, Attorney Upchurch knowing the sentiment of the community, had the testimony in the preliminary trial recorded by a stenographer. This unusual procedure was probably an act of divine providence.

27e(2)

According to the testimony given by Ingram he got excused from duty at a sawmill so that he could haul hay and, not having the necessary trailer he went to borrow one from a white farmer, A. B. Boswell, who lived a couple of miles away. Ingram stated that he knew about where Mr. Boswell was working tobacco. He parked his car and walked through a patch of woods where he expected to find the man. He contended that after walking through a patch of woods to the field where he expected to find the man, he saw two young Boswell boys some distance off, but not seeing Mr. Boswell decided to try to get a trailer somewhere else. The state contended that Ingram had no intention of borrowing a trailer but stopped his car when he saw Boswell's daughter and pursued her through the woods, abandoning the chase when he saw her two brothers.

Ingram was arrested several hours later while working on a farm some several miles from where the incident is alleged to have taken place. At the time of his arrest he had borrowed a trailer and it was practically filled with hay.

Ingram denied having ever seen the prosecutrix before he was shown her in court. The girl admitted that at the time of the alleged assault attempt she was wearing dungarees, a boy's shirt and a shell-type hat. The state contended that even so dressed her feminity was so pronounced that even at seventy feet she could not be mistaken for a boy.

One of the highlights of the trial occurred when Attorney Martin rattled Deputy Sheriff G. B. McKinney and made him admit that he might be a little hazy on his recollections. Atty. E. F. Upchurch Jr. referred to McKinney in his summation to the jury as "the great forgetter."

The jury began its deliberations at 2:10 Thursday afternoon and was summoned by Judge Rousseau at 3:50 to determine whether or not it was possible for them to reach a verdict. The foreman, C. J. Long, asked if intent had to be established before there could be assault. The judge assured them that intent was necessary to prove the charge and ordered them to retire again.

At 5:50 when they still had not reached a verdict, the judge instructed Sheriff J. Y. Gatewood to find hotel accommodations for them at some nearby town. Danville, Va., was suggested but when hotels refused to house the jury because of the Negro members they were permitted to go home for the night.

The case ended in a mistrial at 11 A. M. Friday when two Negro jurors refused to agree on a guilty verdict. They were Walter Wiley and Charlie Gunn.

If the state does not take a nol pros, the trial will be heard in the next term of the Caswell County Superior Court, probably in March, 1952. Although it is known that the state would like to abandon the case this is highly unlikely because the judge and solicitor are elected officials.

Solicitor Horton told the Courier that "a high official of the United States State Department called me at the beginning of the trial." He would not give the name of the spokesman nor indicate the context of the call but hinted that the State Department was concerned over the interest shown by the Communists in the trial.

'Eye-Balling' Case Ends In Mistrial

Courier Sat. 11-24-51

Pittsburgh, Pa.

MR. AND MRS. MACK INGRAM AND SON. LARRY JUNIUS

NEGRO GOES ON TRIAL FOR 'IMPROPER LOOK'

Commercial

Charged Under Old Rule With Intent To Commit Assault

YANCEYVILLE, N. C., Nov. 14.—(UP)—A ~~frightened Negro tenant~~ farmer went on trial here Wednesday charged with intent to commit criminal assault under an old court ~~rule that forbids~~ improper looks at a female. 11-15-51

A battery of four lawyers retained by the National Association for the Advancement of Colored People flanked Mack Ingram, 44, father of nine, who appealed a previous conviction for a lesser charge.

Memphis

Ingram was sentenced to two years at hard labor on the roads June 18, on the testimony of Willie Jean Boswell, 17, who said Ingram eyed her "peculairly" and "trotted" after her along a rural road near this little town.

In the recorder's court trial, Solicitor W. B. Horton reduced the charge to assault on a female — a misdemeanor. But when Ingram appealed, a Caswell County Superior Court Grand Jury Monday indicted him for intent to commit criminal assault, a felony carrying a penalty up to 15 years.

Willie Jean, now Mrs. Edward Webster, was expected to be the chief state's witness before an all-male jury that included four Negroes.

Following the recorder's court trial, Communist newspapers in London and New York telephoned here for the story. The case became a cause celebre of the Communist press.

Ingram denied chasing the girl. He said he saw her as he was driving along a road looking for someone who might lend him a trailer.

Assault by Look Is Charge After Girl's Complaint

YANCEYVILLE, N. C., Nov. 12 (U.P.)—A Negro appealing his conviction of assault on a female by an improper look was charged Monday with assault with intent to commit rape in the same incident.

Constitution

A grand jury Monday returned a true bill of indictment on the more serious charge against Mack Ingram, 44-year-old Negro tenant farmer, whose previous conviction in the case brought telephone calls from Communist newspapers in London and New York.

Tue. 11-13-51

Ingram was convicted in Recorder's Court June 18 on charges filed by a 17-year-old white girl, Willie Jean Boswell, in what was quickly labelled the "assault at 75 feet case."

Atlanta

The girl testified that Ingram got out of his car and started toward her "looking at me funny." She said she fled through a corn field and Ingram chased her until she was in sight of her father and brothers.

Ga.

Angered Judge Holds Odd Case on Calendar

Afro-American
Dat. 11-24-51

Two of Four Tan Jurors Vote With White Majority

YANCEYVILLE, N.C. — The strange case of a 44-year-old father of nine accused of "assault" for "looking at" a 17-year-old white girl from a distance of 75 feet, ended in a mistrial Friday, as a jury of eight whites and four colored persons told Judge J. A. Rousseau that they could not reach a verdict.

Baltimore

Judge Rousseau sitting in Caswell Superior Court announced that the case would be put on the calendar for retrial at a subsequent date.

The hung jury resulted when, after five and a half hours of deliberation, two of the four colored jurors held out for acquittal and maintained they could not believe Mack Ingram, a tenant farmer, guilty of the charge. The two other colored jurors and eight whites voted for conviction.

NAACP Defends

Attorneys for the NAACP who were defending Ingram, did not place him on the witness stand because it was felt that the State had no evidence that could convict him.

Ingram had been previously convicted of assault and sentenced to two years at hard labor. When he appealed and was released on bail, Caswell County Solicitor Ralph J. Scott called a grand jury which reindicted the tenant farmer, this time on a charge of intended criminal assault which carries a 15-year term.

On Thursday defense attorneys made a motion for non-suit with regard to the "intent to rape" charge, but were denied the motion with regard to the lesser charge—assault on a female.

It was on this charge that the jury began deliberations Thursday afternoon and, after being locked up for the night and resuming deliberations Friday announced that it could not reach agreement.

Vivid Imagination

Fred Upchurch Jr., in summing up the defense, asserted that the whole case was the "result of a girl's overvivid imagination, a father's natural concern, and an officer's overzealousness in an attempt to be a Sherlock Holmes." He told the jury that "my home county and not Mack Ingram is on trial here."

The so-called "assault" victim Mrs. Edward Webster, the former Willie Jean Boswell and number one State's witness, in testifying said that as she crossed the highway to go into her father's tobacco field she saw Ingram driving slowly down the road and that:

"He was leering at me so that it frightened me."

Solicitor Scott asked, "What exactly do you mean?"

"Well," Mrs. Webster said, "he had his head out of the car, driving about five miles and hour, not watching where he was going but watching me. He drove all over the road."

"What was his expression?" Scott asked. Her answer was:

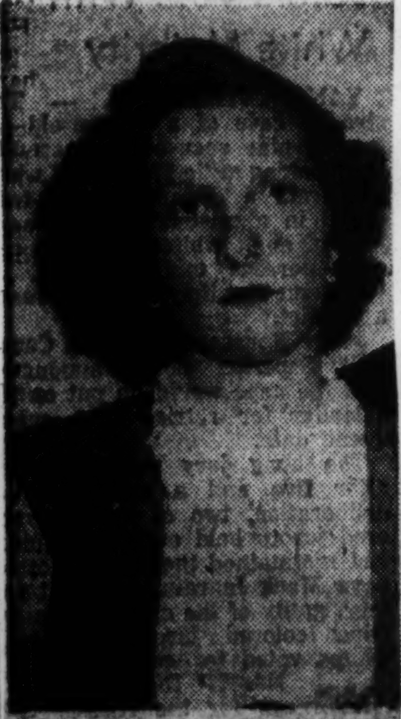
"Well, he looked curious to me, because he'd never done that before."

Measured Distance

She said that, as soon as she entered the woods she heart Ingram turn off his car motor, and that she began to run toward the tobacco field as fast as she could.

"I started running because he had been leering at me out of the car window so that I was frightened. I ran for 215 feet—I have since measured it. I saw him behind me when I got out of the woods and into a corn field. He

Made Charges



This is Willie Jean Boswell Webster, 16-year-old Yanceyville, N.C., girl who says Mack Ingram insulted her because he looked at her from a distance.

was about 65 or 70 feet behind me then."

Martin A. Martin, defense attorney from Richmond, tore apart the State's contention that because of the 95 steps Ingram took covered a distance of 236 feet, they were therefore "running steps."

Mr. Martin pointed out that his stride of not quite two-and-a-half feet was smaller than the walking step of the average man. He said that the defendant had not pursued the gir, but had walked in a different direction, seeking to borrow a trailer to haul wood.

Also in the cross-examination by the defense counsel, Mrs. Webster (or the Boswell girl) admitted that she didn't say anything to Ingram and that he said nothing to her.

Family Members Testify

The girl's father and one of her brothers testified as to the appearance of the girl when she approached them in the tobacco field. William, her 15-year-old brother, said she approached at a fast walk and was so hysterical she couldn't talk.

The point, as to whether or not Ingram, had chased the girl was in contest most of the day and the debate was marked with frequent defense objections—most of which were overruled.

One deputy, G. B. McKinney, said the girl told him that Ingram looked at her with a "vicious look." The defense objected to the statement, but Judge Rousseau allowed the testimony to stand, saying that the remark was allowed only to corroborate that of other witnesses.

He also presented vital testimony when under examination he admitted that he saw Ingram hauling hay in the trailer.

(Ed. note) Ingram had maintained all along that he had gone to the farm solely to borrow a trailer from Mrs. Webster's father.)

The prosecution and defense lawyers appealed to the jury not to decide the case on the color of the principals in the case but on the merits of the evidence and testimony argued.

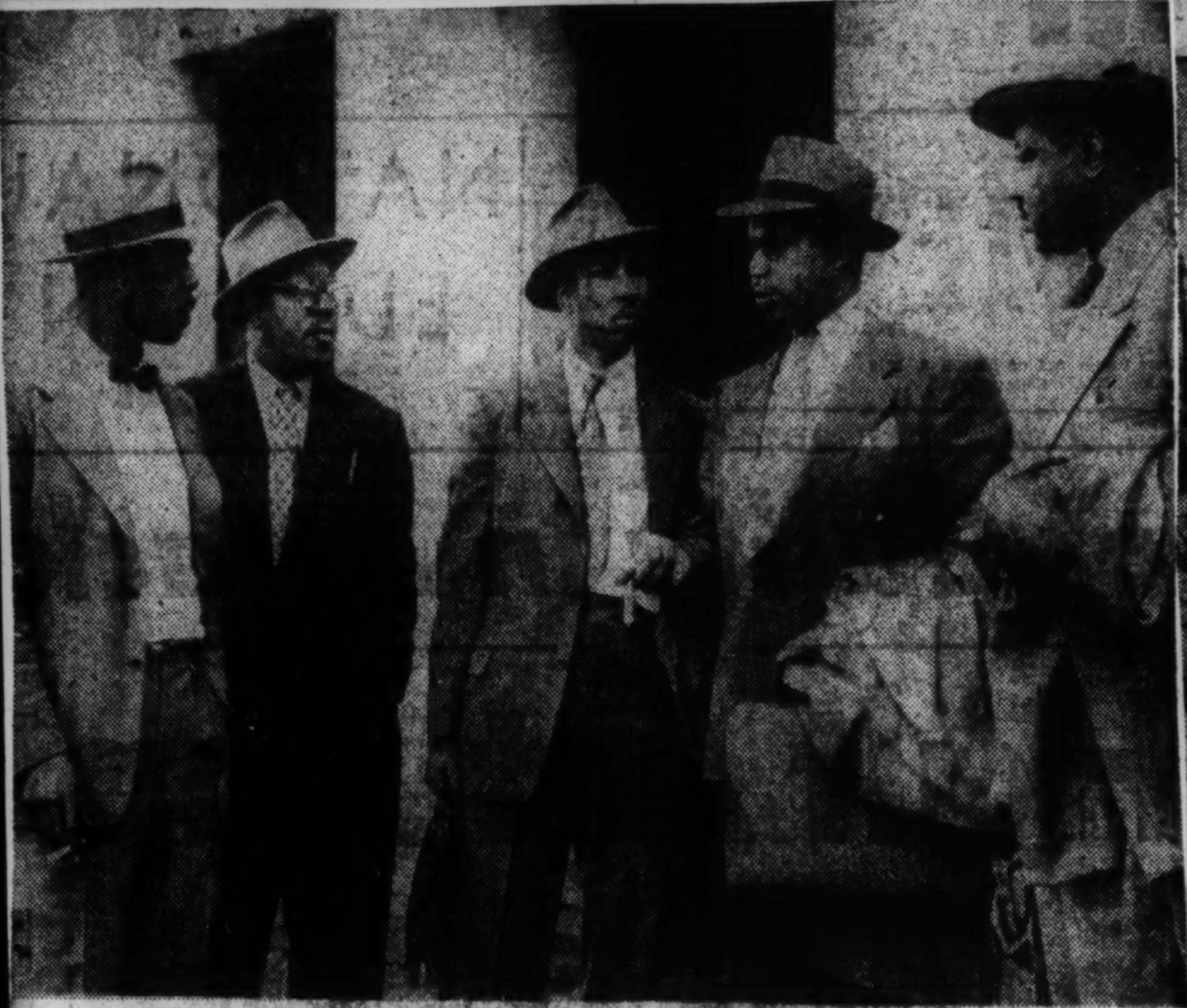
Wednesday afternoon's session came to a surprise closing when the prosecution rested the case of the State. They had anticipated cross-examining the defense witnesses, but the defense counsel left the courtroom abuzz by not deciding to call any defense witnesses.

Ingram, who was released under $1,500 bond—the same one he had posted afer his appeal from the Recorder's Court conviction, was silent throughout the trial.

Defense attorneys in the case, in addition to Mr. Martin and Mr. Upchurch Jr., are Conrad O. Pearson of Durham; Fred Upchurch Sr. and NAACP Assistant Special Counsel Robert L. Carter.

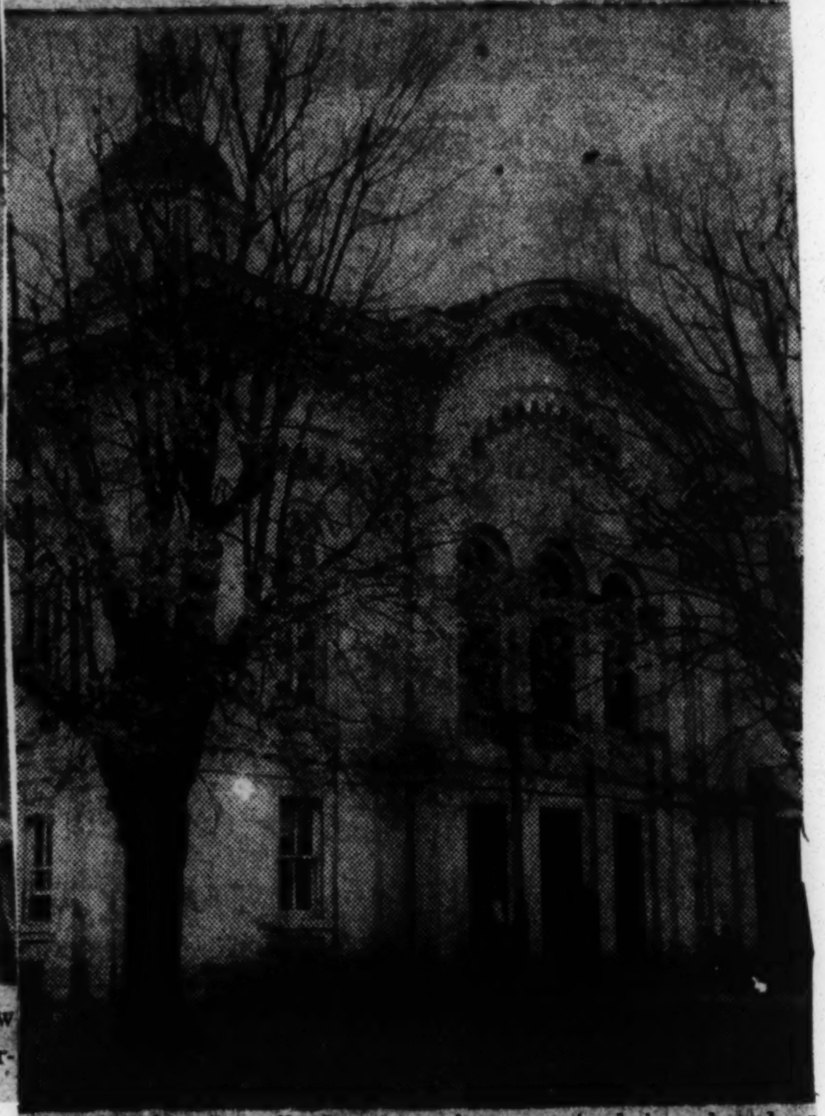
Afro-American
Dat. 11-24-51
Baltimore

Robert H. Carter, NAACP counsel of New York, confers with Mack Ingram, right, after a jury at Yanceyville, N.C., failed to reach a verdict. Ingram's case had assumed international importance after he had been sentenced to two years for "looking" at a white girl. Two of the four colored jurors refused to go along with the majority in the second trial, and held out for acquittal to the end.



Mack Ingramn, left, accused of assault because he 'looked at' a girl from a distance, is shown here with NAACP lawyers who are defending him. In the usual order, Martin A. Martin, Richmond; Robert H. Carter, New York; Conrad O. Pearson, Durham; and Fred Upchurch Jr.

Here's Where Jury Met



Here is the Caswell County Courthouse, Yanceyville, N.C., where a mixed jury heard assault case against Mack Ingram.

27e(2) 1951 Ohio 8274

Postal Worker Denies Raping Babysitter, 19

Admits Disrobing Girl on Lonely Road and Leaving Her in Ditch; "I Just Wanted to Make Her Suffer for Lying on Me," Kirven Says

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By AL DUNMORE

CLEVELAND—"I didn't want to hurt her, I just wanted to make her suffer for telling such lies on me." This was the way Louis Kirven, 42-year-old postal worker, beer salesman and well-known socialite, explained his actions in the bizarre attack on 19-year-old Irene Thomas here last week.

Kirven told his story to me in the presence of his attorney, Wilton Nichols, after he had been held over for the county grand jury under $5,000 bail, along with his attractive wife, Muriel Lewis Kirven, former Pittsburgher, by Judge James T. Cassidy Monday on charges of assault with intent to kill. Mrs. Kirven was released under a $500 bond. Kirven has yet been unable to raise his bond.

In a closed chamber hearing held away from the crowded court room, I heard Irene tell her version of the story of how she had been abducted by the Kirvens, beaten and after being driven for almost 100 miles on a wild ride through eastern Ohio, had her clothes cut from her by Kirven and then put out of the car on a dark, lonely road near East Liverpool, Ohio, attired only in her panties.

The girl, facing a piercing cross-examination by the veteran attorney, Lawrence O. Payne, who represents Mrs. Kirven, failed to be shaken in her testimony that she had been raped by Kirven and that Mrs. Kirven had driven the car on the night of Oct. 22 and had joined her husband in beating her. She did admit that Mrs. Kirven had only slapped her once or twice."

After the hearing in which the defendants were not allowed to testify by their respective attorneys, Kirven told this reporter that he had not attempted to kill the girl and that Mrs. Kirven played no part in any act of violence that he might have committed.

"Muriel (Mrs. Kirven) was frightened and pleaded with me not to hurt the girl . . . the only regret that I have is that I had to drag her into this mess . . . if I am to be punished it should be for what I have done to Muriel and Anthony (the Kirven's son) . . . and not for what this girl says that I have done."

Kirven claimed that he had struck up an acquaintance with the girl in a downtown store early this fall and made a date with her. Later, when his wife suggested getting a baby sitter, he contacted Irene and employed her as baby-sitter.

27e(2)

Ohio

"She submitted to me voluntarily, but when my wife found evidence of our relationship, she (Irene) told her (Mrs. Kirven) that I had fought her and made her submit to me.

"It was on this evidence that Muriel filed for a divorce."

It was brought out in the testimony that Mrs. Kirven had taken the girl to an attorney and had her make out an affidavit to the fact that Kirven had attacked her and then filed a petition for a divorce.

After Kirven was served with the petition and told that he would have to move from the couple's residence at 10829 Bryant Avenue, Mrs. Kirven asked the Thomas girl to stay on with her.

A week after the divorce petition was filed, Kirven saw his wife and told her that Irene had lied in regards to their relationship. It was then that he had Mrs. Kirven arrange the rendezvous in the automobile.

"I wanted to prove to Muriel that the girl was lying and I thought I could frighten her into telling the truth," Kirven said.

According to Kirven, after his wife and Irene got into the front seat without the girl knowing that he was hiding in the back seat of the car, they began to discuss the affair.

Kirven said his wife slapped the girl when the discussion became heated and they began to pull each other's hair.

"She hit Muriel and knocked her glasses off, then I reached from the back seat and grabbed her by putting my hands around her neck to stop her from fighting Muriel. Then I ordered Muriel to drive the car into the country. I had no idea what I was going to do . . . I just wanted to punish her for breaking up my home . . . that was all . . . after we drove a while and I evaded the state police who chased me for speeding near Lisbon . . . I drove over to East Liverpool . . . then I decided that I would teach her a lesson and cut all her clothes off and then put her out of the car. I picked her up and placed her in a ditch and told her to lie down until we drove off. I don't think I did her any physical injury."

The girl's story differed from Kirven's in many ways.

She charged that when Mrs. Kirven and she began to discuss the affair, Kirvan came up from the back seat and said:

"We are going to kill you!" . . . and then choked her with a white handkerchief or a white piece of cloth. "He choked me so that I became unconscious . . . when I came to, I heard Mrs. Kirven say . . . 'Louis, I'm nervous and can't drive.' . . . then she got in the back seat and he got up beside me on the front seat."

She told the court how Kirven sat on her while he evaded the state police . . . "then he drove on until he came to a dark place. He cut my clothes off of me and then took me and put me in the bushes by the side of the road. I heard him say something like 'sleep on' and then they drove away leaving me there . . ."

In the cross-examination, the girl denied ever having met Kirven other than during her duties as baby-sitter. "I called the Kirvens when I read their ad in the newspaper for a baby-sitter . . . that's how I got the job with them."

The Kirvens deny having run an ad in the newspaper.

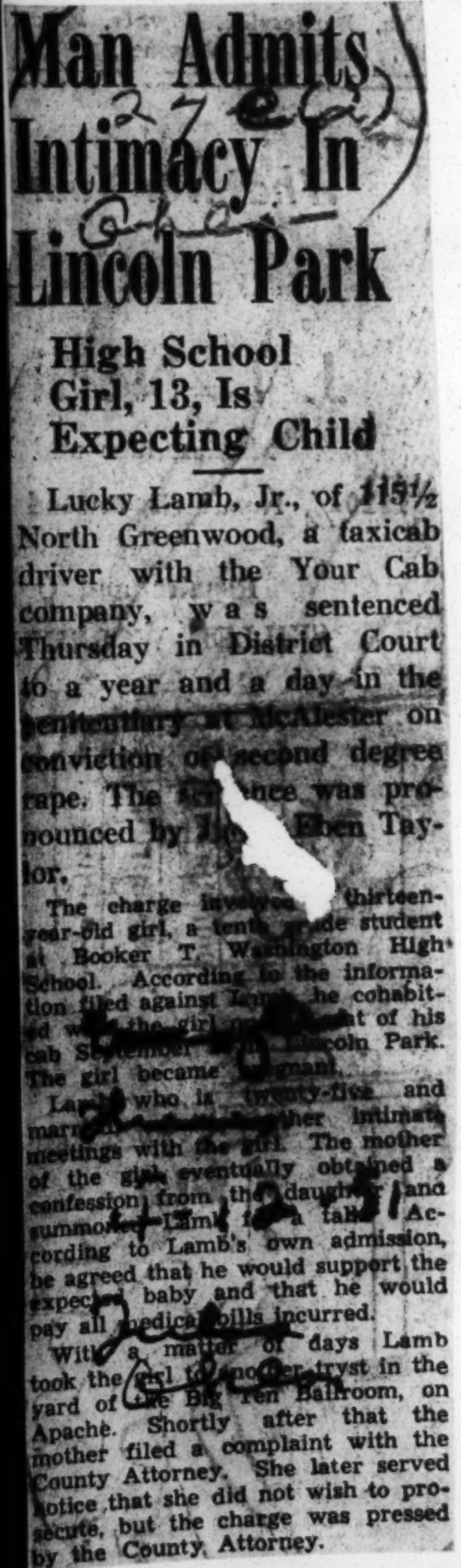
The girl told the court how Kirven had "raped me about three times" when Mrs. Kirven was not at home. "I was afraid to tell her or anybody because I liked the job and didn't want to hurt her or little Tony."

"I guess I could have gotten another job after that happened," she told the court.

Kirvens is a member of a well-known family in Virginia and formerly was a member of the police department in Washington D. C. The present Mrs. Kirven, a member of a well-known Pittsburgh family, is his third wife. She is employed as an out-patient

27e(2) 1951 Oklahoma

8286



Man Admits Intimacy In Lincoln Park

27e(2)

Okla

High School Girl, 13, Is Expecting Child

Lucky Lamb, Jr., of 115½ North Greenwood, a taxicab driver with the Your Cab company, was sentenced Thursday in District Court to a year and a day in the penitentiary at McAlester on conviction of second degree rape. The sentence was pronounced by [illegible] Eben Taylor.

The charge involved [illegible] thirteen-year-old girl, a tenth grade student at Booker T. Washington High School. According to the information filed against Lamb, he cohabited w[illegible] the girl [illegible]nt of his cab September [illegible] Lincoln Park. The girl became pregnant.

Lamb, who is twenty-five and married, [illegible] other intimate meetings with the girl. The mother of the girl eventually obtained a confession from the daughter and summoned Lamb for a talk. According to Lamb's own admission, he agreed that he would support the expected baby and that he would pay all medical bills incurred.

4-12-51

Within a matter of days Lamb took the girl to another tryst in the yard of the Big Ten Ballroom, on Apache. Shortly after that the mother filed a complaint with the County Attorney. She later served notice that she did not wish to prosecute, but the charge was pressed by the County Attorney.

8287

Barber Used Icepick

Sex Killer Of Pa. Girl Gets Life

27e(2) Pa

PITTSBURGH, Pa. — An Allegheny County Criminal Court jury Thursday recommended life imprisonment for William H. Christman, 38, for the bloody butcher-knife slaying last Dec. 17 of pretty 22-year-old LaVerne Wil-

Christman probably barred the doors to freedom during a Wednesday night session when, after refusing to answer questions shot at him by Prosecutor Samuel Strauss, he left the witness stand and told the jury, "What's the use? Go ahead and convict me!"

The erstwhile East Liberty barber had been accused of stalking Miss Williams, a drug store clerk, to the basement of her home where he plunged an ice pick seventeen times into her chest and drowned out her dying pleas for mercy by cutting her throat with a butcher knife after having failed in an effort to criminally assault her.

5-26-51

Pittsburgh

Sullen and morose, Christman was twice silenced by Judge William N. McNaugher after he had exchanged hot words with Prosecutor Strauss during the trial. The convicted man had previously admitted being in the girl's home and discovering her body, but alleged that someone else whom he later chased and could not identify was also in the house.

A parade of twenty-five witnesses, including an FBI agent flown here for the trial, along with nearly fifty exhibits were used to convict Christman. Three women, who admitted bearing children for Christman, had taken the stand on Wednesday and Thursday as character witnesses for him.

Eight Women Listed on Jury Freeing Tenor

Afro American

11-24-51

Baltimore

Alibi Furnished by Singer's Wife Brings Acquittal

PHILADELPHIA

Deliberating three hours and 19 minutes, a jury, top heavy with women Friday night, returned a not guilty verdict against balding Bill Kenny, 37-year-old popular leader of the internationally known Ink Spots.

27e(2)

He was charged with raping a 15-year-old school girl, the daughter of a North Philadelphia socialite, in June 1950 backstage of a Market St. theater on three different occasions.

The jury was composed of five men and eight women, two of whom were colored. The verdict, which climaxed a stormy three-day trial, was accepted by a calm court-room with one noticeable exception.

Court attendants quickly squelched the outburst.

Two Charges Dismissed

Kenny was found not guilty on four bills of indictment which including assault, intent to ravish, to rape and sodomy. Judge Raymond McNeil, of the Municipal Court, who presided, threw out two bills pertaining to contributing to the deliquency of a minor at the request of the defense attorney, Thomas A. McBride.

Key witness for the defense was Kenny's wife, Audrey, who was the first witness on the third day of the trial. She testified she was with her husband every minute during the three days in question, with the exception of the time he was on the stage.

She said she was with him when he wrote the note for "the stage struck girl," Jean White, asking that she be excused from school for illness and saw him sign the name of the girl's stepfather to it.

Kenny Testifies

Kenny, who testified in his own defense, followed his wife on the stand. He admitted writing the note as the girl dictated it and signed the name of her step-father, Carl Day, to it.

Later, Kenny said, as he came off the stage she approached him with an excuse card, the second phase in the proceedings, which he also signed with the step-father's name.

According to the girl's testimony she attended the show on Jan. 2 and met Joan McClaine, who knew the Kenny brothers, Bill and Herb. Miss McClaine, who is now a student at Penn State College, carried her back stage where she was introduced to the brothers, she said.

$20 and Wrist Watch

Passing the dressing room later, she said, she was invited inside by Bill Kenny, who kissed her, raped her and gave her $10. He told her to return the next day, she said. The girl said she did, and after being forced to commit sodomy, was attacked again and given a wrist watch. She was invited to return the next day when she was again raped and given another 10 toward her carfare to New York, she testified. Expressing a wish to run away from home, she said she was discouraged by Kenny to do so at that time. He advised her to wait a couple weeks, so it would not look as though he had influenced her to do so, she said.

Afro American

11-24-51

The girl arrived in New York on Jan. 15 and registered at the YWCA as Mrs. Jean Kenny, the testimony disclosed. She spent three days trying to contact Kenny at the Capitol Theater, where he was playing, and at the office of his booking agency where she posed as Mrs. Kenny and put on a demonstration, when she could not see him witnesses said.

Broke Down and Wept

Relatives found her in New York on Feb. 18. She tried to throw herself under a trolley car after being questioned by Metropolitan detective, police said.

The girl broke down and wept under cross examination by defense attorney McBride and had to be carried from the court room. last.

27e(2) Pa.

Asked why he wrote the name of the girl's stepfather on the two notes, Kenney said he did so to discourage the girl running away from home. She told him she was unhappy there and wanted to go on the stage. He tried to discourage her from doing either, he said.

He said she told him she had to have a note in order to return to school and asked him to write it for her.

2 Suicide Attempts

Warrants were issued for the arrest of the Ink Spot leader on Jan. 19, 1950, and May 17, 1950, when the girl signed a subsequent affidavit, said Sgt. Howard Leary, of the Crime Prevention Bureau. They were served in December, 1950, after Kenny returned here to fill an engagement. There is no evidence he was dodging the serving of the warrants, Sgt. Leary said.

Temple hospital records were submitted by the defense attorney showing that Miss White attempted suicide on two different occasions since the incident.

Police of the 39th District carried her there for treatment on May 27, 1950 after she swallowed an over dose of sleeping pills, and again last Aug. 20 to be treated for a slashed left wrist.

Miss White was represented also by Attorney Kalter Gay and Kenny by Stanley Gottstalk, of New York City.

The State was represented by Assistant District Attorney Abraham Berkowitz.

27e(2) 1951

Tennessee

8289

Grand Jury Indicted Robert H. Lewis On Alleged Rape Charge

World

Robert H. Lewis, 31, of 1036 Rozelle, was indicted recently by the Shelby County Grand Jury on a charge of rape, growing out of the complaint of 23 year old Aurthor Mary Houston, Negro, of 359 South Third.

27e(2)

Tues. 1-23-51

Homicide Bureau officers said after Lewis' arrest, that Miss Houston went to his home, January 8, seeking a job in a "doctor's" office and he assaulted her in a bedroom at the Rozelle address.

FBI to Continue Probe into State Negro Rape Case

News

Sun. 10-21-51

MEMPHIS, Tenn.—(P)—The FBI said today it would continue its investigation into the case of two white men accused of the statutory rape of a 12-year-old Negro girl near Courtland, Miss., last June.

A Panola County, Miss., grand jury returned no indictment against the two men, both Memphians, Monday.

Jackson Miss.

But Don S. Hostetter, special agent in charge of the Memphis FBI office, said his investigation would be continued.

"Our office has made an investigation of the case," Hostetter asserted. "A portion of this investigation was held in abeyance in view of the state prosecution. The remainder of the investigation will now be completed and made available to the district attorney."

27e(2)

The accused men, Augusta Woody McGagarrh, 28, and Glenn McCain, 29, were charged with taking the girl from Memphis into Mississippi and assaulting her in a pasture last June 7.

Sheriff E. B. Wilson, Batesville, said the grand jury did not return an indictment in the case after being presented with an affidavit from the child's mother. He quoted the mother as saying her daughter was not taken across the state line against her wishes and that the child was not attacked.

U. S. District Attorney John Brown said his office would study the FBI report, when completed, "and then determine a course of action."

Kidnaping Charged Against Pair In Case Of Memphis Negro Girl

Commercial Appeal

Federal Indictment Follows Passing Of Case By Grand Jury In Mississippi When Prosecution Witness Failed To Appear—One Man Arrested, Other Sought

Thurs. 11-15-51

By ROBERT TALLEY

Two Memphis men have been indicted by the Federal Grand Jury on charges of kidnaping and violation of the Mann Act in connection with the reported assault on a 12-year-old Negro girl.

Augusta Woody McGarrh, 28, was arrested yesterday afternoon. His address was listed at 1056 Pierce.

Deputies of the United States marshal's office are seeking William Glenn McCain, 29, whose address was given as 381 North Waldran.

The men were indicted Tuesdav by the Federal Grand Jury, Dist. Atty. John Brown and his assistant, Thomas C. Farnsworth, said.

Works As Truck Driver

The indictments were revealed after the arrest of McGarrh. He was taken in custody about 3:30 p.m., at his work as a truck driver for a Memphis firm.

McGarrh and McCain, who are brothers-in-law, are accused of taking the 12-year-old Negro from her Memphis home last June 7 to have her work as a baby sitter. The Government charges they took her to a pasture near Courtland, Miss., and assaulted her.

27e(2)

Both men were arrested by Panola County (Mississippi) authorities. The Panola County Grand Jury last month took no action and passed the state charges against the pair when the district attorney explained that certain key witnesses for the prosecution had failed to appear. The case is still pending and can be brought before the grand jury again.

Maximum Penalty Death

The maximum penalty for violation of the Federal kidnaping law (the so-called Lindbergh Law, or the transporting of a kidnaped person from one state to another) is death, if the trial jury so recommends. In such cases a demand for ransom is not necessary for conviction.

The indictment against the two men states the penalty for this crime is "by death if the kidnaped person is not liberated unharmed and if the verdict of the jury so recommends, or by imprisonment for any term of years, or for life, if the death penalty is not imposed." It is one of the few Federal statutes that leaves the punishment to discretion of the jury.

The indictment charges that while the Negro girl was held by the accused she was "bruised and injured."

Commercial

The penalty for violation of the Mann Act (transporting of a female from one state to another for immoral purposes) is five years in prison or $5000 fine or both. No minimum penalty is prescribed by the law.

Mr. Farnsworth said McGarrh will be arraigned before Federal Judge Boyd at 9:30 a.m. tomorrow and alolwed to enter a formal plea of either guilty or not guilty. No date for the trial has been set.

McCain, Mr. Farnsworts, said, will be arraigned at the same time if he is then in custody.

Bond for each of the accused men was fixed by Judge Boyd at $10,000.

McGarrh, whom Federal officers transferred to the Shelby County Jail late yesterday, has not made bail.

Thurs. 11-15-51

No Prosecution Developed

The Panola Count yGrand Jury passed the case when no prosecution developed. County officials said the girl's mother and "a Memphis woman doctor" failed to answer a grand jury summons to appear and testify. The still-pending case, Panola County officials said, can be brought up at the next meeting of the county's grand jury.

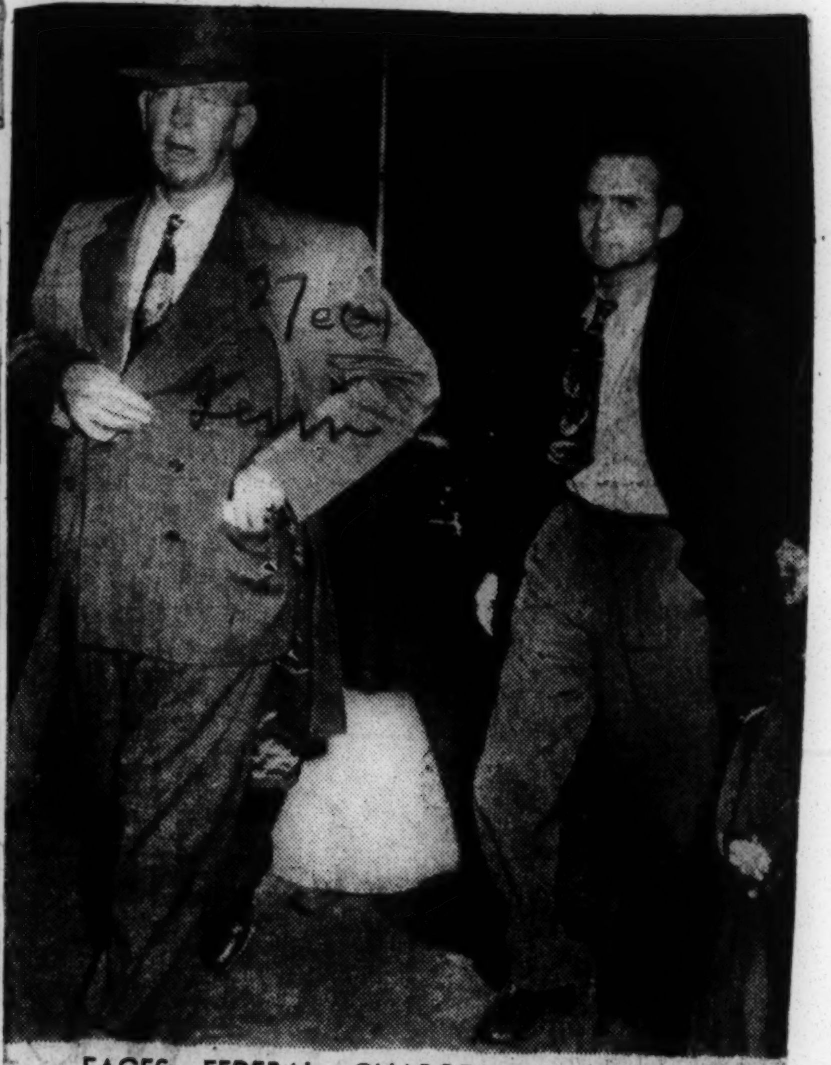
27e(2)

After the session of the Panela County Grand Jury, Dist. Atty. Gerald Chatham, the county prosecutor, said McGarrh met him outside the courthouse at Batesville, Miss., and gave him a document which declared that the girl had not been raped or taken across the state line against her wishes. This document was not presented to the Mississippi grand jury, Mr. Chatham said.

The original arrests of McGarrh and McCain were made after the Negro girl and her mother had said that the men came to the Negro home and asked that the child be permitted to go with them for a job as a babysitter for McGarrh.

The girl told Mississippi officers the men placed her in the back of their car and drove to Mississippi, where they assaulted her near Courtland. The Negro child declared one of the men had threatened to kill her if she screamed.

En route to the pasture, the girl declared, the men stopped to buy whiskey and sandwiches. She said she escaped when the men began arguing, and hid in the high weeds of the pasture until they lewt. Later, she said, she walked along the highway toward Batesville until she flagged a passing taxicab. The driver took her to Batesville and gave her bus fare to Memphis, she said.



27e(2)

FACES FEDERAL CHARGE — Arrested on Federal charges of kidnaping and violation of the Mann Act, Augusta Woody McGarrh (right) was taken to Shelby County Jail late yesterday by C. J. West chief deputy United States marshal. McGarrh and his brother-in-law, William Glenn McCain, were indicted jointly on charges made by a 12-year-old Negro girl. McCain is being sought.

TWO FAIL TO POST BOND IN ASSAULT CASE HERE

Commercial

Memphis Men To Be Arraigned Before Boyd Today

Appeal

Memphis Tenn.

M'CAIN ARRESTED AT HOME

Nov. 16-51

Charged in a Federal Grand Jury indictment with kidnaping a 12-year-old Negro girl and also violation of the Mann Act, two Memphis men will be arraigned before Federal Judge Boyd at 9:30 this morning for entering formal pleas of guilty or not guilty.

The men are Augusta Woody McGarrh, 28, who told arresting officers that he now lives at 1225 James, and William Glenn McCain, 29, who was arrested in his apartmen at 2804 Kimball.

All Night Search Made

Both remained in the Shelby County Jail last night in lieu of $10,000 bonds fixed by Judge Boyd. They were jointly indicted Tuesday.

McGarrh was arrested by deputy United States marshals at 3:30 p.m. Wednesday while he was at his work as a route salesman for Schneider's Supply House, 74 North Montgomery, a barber supply firm.

McCain was arrested about 2 a.m. yesterday when officers after an all-night search, found him in bed at his home. The arrest was mare by Deputy Marshal E. B. Jones and Detective Lieuts. oJe Gagalina and Otis Johnson, of the police department, who co-operated with Federal officers.

McCain told arrestin gofficers that he was formerly a farmer, is now unemployed and looking for a job, said Chief Deputy Marshal C. J. West.

Com. 11-16-51

The two men are brothers-in-law.

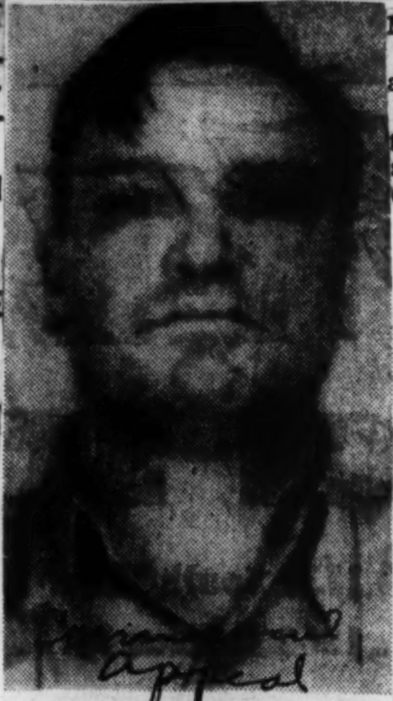
Death Possible Sentence

They are accused of having persuaded the Negro girl into their auto last June 7 on the pretext of hiring her as a baby-sitter for McGarrh, taking her to a pasture near Courtland, Miss., and assaulting her.

Federal law fixes the punishment for interestate kidnaping as death if the trial jury so recommends, or for any term of imprisonment that the jury deems proper. The penalty for violation of the Mann Act (transporting a female to another state for immoral purposes) is imprisonment of five years and a fine of $5000, or boht.

Jerry

The Panola County Grand Jury at Batesville, Miss., which considered state charges against the two men in mid-October, passed the case [illegible] when [illegible]ing witnesses failed to appear.



Commercial Appeal

JAILED — William Glenn McCain, one of two Memphians indicted on a Federal charge of kidnaping a 12-year-old Negro girl, was arrested early yesterday morning in his apartment at 2805 Kimball. Several hours earlier, Augusta Woody McGarrh of 1225 James was arrested on the same indictment. The men also face a Mann Act charge growing out of the case.

11-16-51

2 Whites Indicted For Rape of Girl

Black Dispatch

Dat. 12-1-51

MEMPHIS, Tenn. — (ANP) — A federal grand jury here last week indicted two white men for the raping of a 12-year-old Negro girl whom they had hired as a baby-sitter. A Panola, Miss., grand jury earlier had refused to act in the case.

One of the men, Augusta Woody McGarrh, 28, was arrested by a U. S. Marshall who is seeking to apprehend William Glenn Mc, Cain, 20. Both men live in Memphis. The men will be charged with kidnaping and violating the Mann Act. Bond has been set at $10,000.

Oklahoma

The rapists, brother-in-law, are said to have taken the girl from this city June 7. She was to have taken care of McGarrh's children, but instead, according to government statements, she was taken across the Tennessee state line to a pasture near Courtland, Miss., and attacked.

Panole officials failed to act and the government stepped in.

County officials said that the girl's mother and a physician summoned to appear failed to comply.

27e(2) 1951

Texas

8288

John William Price Gets Life Sentence for Rape

27e(2)

A jury Thursday gave John William Price life in prison for the rape of a 14-year-old Mesquite girl, and Price said he "ought to die" for what he had done.

The jury, locked up overnight, reported back to Criminal District Judge Robert A. (Bob) Hall shortly after 9 a.m. It had worked until about 1 a.m. on the verdict.

When the assessment of punishment was read, Price's two court-appointed lawyers, Wallace Moore and Curt Stiles, immediately conferred with Price and told the judge that they would not seek a new trial.

10-5-51

Price, 35, was brought before the bench and asked if he had anything to say why sentence should not be passed.

"Yes," said the red-haired, wiry machinist. "I expected death, and if anybody ever needed it, I do. I ought to die for what I have done."

Price said that he "certainly" deserved a life sentence, and that he was willing to serve the rest of his life in prison. He said he was sorry for the victim and her family, and thanked the court and his lawyers.

Later, Dist. Atty. Henry Wade said he would do what he could to insure that Price would not be paroled. Wade said he was going to write to the State Board of Pardons and Paroles, opposing any clemency.

Assistant District Attorneys Jimmie MacNicoll and Ray Stokes had made a strong plea for the death repenalty. After the verdict was returned, one juror told Stokes that at one point during the deliberations, ten of the twelve jurors had voted for death, and the other two for life in prison.

"But the other two wouldn't budge for anything," Stokes quoted the juror as saying.

In the trial, the victim had told how Price invaded her home, forced her at gunpoint to accompany him, and raped her three times on an 8-hour drive to East Texas.

Price's lawyers did not try to contest this testimony. They brought in the facts that Price had suffered a serious head injury in 1949, and that he had been drinking. They suggested that Price had temporarily lost his power of good judgment, but did not try to prove him insane.

Sheriff Bill Decker, who broke the case in a matter of hours and obtained a full signed statement about it from Price, said that the 35-year-old convicted rapist would be sent to the state penitentiary as soon as possible.

Rape Trial Set For Monday

John William Price, a red-haired Dallas machinist, is scheduled to go on trial for his life Monday for the July 10 rape of a 14-year-old farm girl who lives near Mesquite.

27e(2)

Asistant District Attorneys Jimmie MacNicoll and Ray Stokes said they would ask the death penalty. Trial will be held in Judge Robert A. (Bob) Hall's criminal district court.

10-1-51

Price's court-appointed attorney, Wallace Moore, is expected to set up a defense of insanity, based on a severe head injury which Price suffered in an automobile wreck two years ago.

P$rice, 35-year-old father of two children, made a signed statement to Sheriff Bill Decker soon after his arrest, admitting that he had kidnapped the girl from her home and had had intercourse with her.

The girl said Price had entered the home by asking for a drink of water, and forced her at gunpoint to go with him.

Texas Rapist Is Electrocuted

27e(2)

9-6-51

HUNTSVILLE, Tex., Sept. 5 (AP). Fred Felix Adair, who preferred death to years in prison, was electrocuted early today for raping of a housewife in the presence of her two children in 1949.

Adair was the first of three men to be electrocuted, all for rape. His electrocution ended a stormy controversial debate over his sanity.

His wife sat outside the prison in a car while her husband met death. She had kept the death vigil at the prison all afternoon.

Toliver Gets 99 Years in Assault Case

27e(2) Texas

Odell Tolliver, 31-year-old Negro, was sent to prison for ninety-nine years and a day Wednesday night for raping a 71-year-old white woman in her Highland Park home last August.

The jury in Judge Robert A. (Bob) Hall's criminal district court took only twenty minutes to reach a verdict. Earlier in the day, it had heard the victim, a slight, gray-haired widow. Toliver was living with his wife in the servant quarters behind her home at the time of the offense.

The widow broke down frequently during more than an hour she spent on the witness stand.

Toliver, she said, came to her back door about 7 p.m. on Aug. 11 and asked if he could use her telephone to call his brother. She let him in and went to the front of the house. When she heard no conversation, she said, she called to Toliver:

"Odell, couldn't you get your brother?"

She said Toliver ran toward her and she retreated. He caught her, dragged her into the living room and threw her on the floor.

She said she kept telling him to let her up.

"You keep calling my name and I'm going to kill you," she quoted him as saying.

She said the Negro raped her and let her up only after she promised to give him $500 and a new car. He threatened to kill her if she told what had happened, she said.

She said she screamed when Toliver attacked her, until he made her stop. After he left, she ran out the front door and down the front walk.

Highland Park Officer Frank L. Wiser Jr., cruising by, saw her. He testified that she was bleeding at the mouth, was bruised about the face, her dress was torn and she was hysterical.

Officer A. O. Hubbard joined Wiser and they went to the servant quarters, they said, and there found Toliver dressed only in his underwear. They said he appeared to have been drinking but was steady on his feet.

Defense Attorneys Tom Bamford and Charles Hardeman did not put Toliver on the witness stand. They did call two other neighbors who said they went over to her house after the alleged attack. They said they saw no bruises on her face nor did they notice that her dress was torn.

Toliver's wife testified that he had never before been in trouble.

The defense attorneys also introduced hospital records in an attempt to show that the woman was not raped.

Informer 3-17-51 Houston, Texas

Most Shameful In History?

Travis County Jury Is Criticized In Handling Of Assault Allegation

AUSTIN, TEXAS — The January Term of the Travis County Grand Jury may go down in history as its most shameful, according to criticisms being heard of their dismissal of the alleged attempted assault case involving Eugene L. Leavell, age 33, and little Zora Lee Crayton, age 12.

The small girl was baby sitting for the white man at the time alleged attack occurred, according to the story told to the Police Department by Zero Lee Crayton. The man carried his wife away with some friends to have an evening out. He is said to have left the friends and come back home. According to the police report, he was charged by Zora Lee with having torn all of the [illegible] off of her in an un-successful attempt to attack her.

27e(2)

EXAMINED BY DOCTOR

She was allegdly forced to run from the house absolutely nude and went to a nearby drug store for help. The policemen came, placed her in the car, carried her to the station and took her statement; then to Brackenridge hospital, where it is said the little girl was kept on the table for five hours. She was examined by Dr. Allen upon arrival. His report is said to have shown the presence of blood in the viagina. This reporter questioned the little girl, she told the story exactly as she had told the policemen on the night of January 22. They said at the police station that she was the most intelligent kid they had ever seen. In the opinion of many it was an air--tight case. Conviction carries a term of from 2-50 years.

The Travis County Grand Jury listened to the kid's story. They then decided to have her examined. The little girl's mother was persuaded by officers to permit them to carry her to the medical center at Galveston at the alleged suggestion of Dr. Davis Wade, a psychiatrist, who had allegedly been told by Eugene Lavell, that he believed the kid was having a fit. The doctors reported from Galveston showed that some brain function wasn't just as it should have been, according to the report. It must be assumed that this report outweighed the girl's physical condition the night of the alleged offense. The medical reports did not state that the girl was suffering from an epileptic spell which could have caused delusions. The report merely implies that such could be a possibility. But the girl was found nude, in nervous shock and physically pampered with.

In a conversation with the Assistant District Attorney Thomas Blackwell, Arthur DeWitty and J. H. Morton requested that the case be given a new hearing before the next Grand Jury. Every citizen in Austin should be interested in this case to make sure justice is done.

Claims White Man Is Trying To Force Her To Drop Rape Charge

HOUSTON — Officers from the Sheriff's Department had to be called Saturday to protect Mrs. Ada White of Fidelity from molestation by persons attempting to force her to withraw rape charges against a white man, Mrs. White told the Informer Sunday. A white man was being held by Homicide Monday in connection with the case.

27e(2)

Informer

In a statement to the Informer Mrs. White said that Pat Harvey, 40, who was charged with raping the 56-year-old woman, last summer had come to her New Hampshire street home, Friday, in company with another white man and a Negro man and that he had returned Saturay afternoon. She said that the white man was spokesman for Harvey Friday and that a Negro man had also tried to bribe her to drop the rape charge Friday.

She said that a Negro man entered her kitchen Saturday afternoon and offered her two or three hundred dollars to drop the charges and that he talked rough to her when she refused. She said that the white people had parked their car around on another street and had sent the Negro man to talk to her. When the man kept insisting on her taking money, Mrs. White said she ran out of the house into the yard and screamed. She said that her screaming aroused the neighborhood and friends soon came to street corners and on their porches to see what the distrubance was about.

Mrs. White said that she thought that her screaming had frightened the men away but that later Saturday afternoon, the white men sent another Negro to find her. She said that she knew this other Negro man and that when she explained what the white people were trying to get her to do, the Negro man left and would have no more to do with the affair.

Mrs. White said that Harvey and the other white man had told the Negro man that she worked for the white people and to tell her to come out to the car and talk to them. She said that the other white man was an employee of the railroad for which Harvey also works. She said that the other white man had come to her house Friday and had come on the inside and looked around. He tried to induce her to take money and drop the charges against Harvey, she said.

She said that a white woman was in the car with Harvey. The white woman sent her word to let her come and talk to her, Mrs. White said. At first she refused to talk to the white woman, but realized that she had called officers, Mrs. White said that she decided to try to hold the white people until they arrived by talking to the woman.

The woman told her that she was Harvey's divorced wife, and tried to persuade her to drop the charges, Mrs. White said. She continued that the white woman told her that she only was interested in Harvey now because of his mother.

Harvey, who was sitting in the car at the time, apparently got tired of waiting and just before officers arrived, he had come into the yard, Mrs. White said. Meanwhile most of the women in the neighborhood had gathered on her porch, Mrs. White said. She said that she ordered Harvey not to come any further, but that he insisted on talking to her until some of the women took it up and ordered him to remain at a distance from the house.

By the time officers had arrived, Harvey had got back into his car, Mrs. White said. She said that when the officers questioned him, he told the officers that she had "invited" him out to her house. Mrs. White said that she denied this to the officers and that they told Harvey to leave and not to come back anymore.

Mrs. White said that she had called officers on other occasions, and that she has been bombarded with requests and threats to drop the charges ever since the attack occurred in December of 1950 when Mrs. White charged Harvey with cornering her in the bath room at his cottage where she was doing some cleaning, and choked and rape her after overpowering her and dragging her into his bedroom.

Mrs White said Sunday that she would not have been able to take all the aftermath from the charges had it not been for the support of the police department and the local branch NAACP. She said that she probably would have weakened but, "I asked the Lord to give me strength." She said her attorney succeeded in getting the case directly before the grand jury who returned an indictment against Harvey, in January.

Lieutenant Frank Murray of Homicide said Monday that officers [illegible] arreste one of the white men who was on the scene when officers arrived. He gave the man's name ~~as Frank~~ N. Murphy of [illegible] Peco and stated that that the man is being held without charge for attempting to bribe Mrs. White to ~~drop the~~ case against Harvey.

3-24-51

Price Indicted In Rape Case

27 E (2)

Morning News

John William Price, 35-year-old machinist, was indicted for the rape of a 14-year-old Mesquite girl Friday in a report specially returned by the grand jury to Criminal District Judge Robert A. (Bob) Hall.

Dist. Atty. Henry Wade already has announced that his office would ask the death penalty for Price. The rape was committed Tuesday, after the girl had been abducted from her home at pistol point.

Wednesday, Price was arrested at the home of relatives near Yantis, Wood County. This was only a few miles from where the girl had been released from the car after a 7-hour ordeal. She told Sheriff Bill Decker that Price had raped her once near Seagoville, once near Grand Saline and again near Yantis.

Price gave a signed statement to Decker the night of his arrest. The statement made no mention of attacks on the girl near Grand Saline or Yantis, but admitted an act of intercourse with her not far from her home. Price's statement said she did not resist. But because of her age, he could be given the death penalty for rape even if no force were used.

Sect 1

7/14/59

Dallas, Texas

27e(2) 1951 Texas

8283

JURORS GET ADAIR CASE

Morning News

27e(2)

By CLINT PACE

News Staff Writer

KAUFMAN, Texas, July 31.—The Fred Felix Adair sanity case went to a Kaufman County jury at 5:55 p.m. Tuesday.

Three hours later, the jury recessed for the night until 9 a.m. Wednesday. 8-1-51

The jury retired after two days of testimony to determine if Adair is sane. If so, he can be electrocuted for raping a Dallas housewife in 1949.

The 27-year-old Adair, a former payroll clerk in Dallas, was convicted of rape in March, 1950, and was in the death cell at Huntsville when a plea of insanity halted his execution and put him in the state mental hospital at Terrell.

In April, a Dallas jury found him insane. But forty-seven days later, psychiatrists at Terrell decided Adair's sanity had been restored.

An affidavit, filed by the hospital superintendent, Dr. Adam D. Patillo, declaring Adair sane brought on the Kaufman hearing.

Dr. Patillo was the first of four members of the hospital's medical staff to testify Adair was legally sane—that he knew right from wrong.

Four of the hospitals five doctors agreed Adair was sane when they interview him June 12. The fifth doctor gave no opinion, Dr. Patillo said.

Tuesday, the remaining three doctors testified they also believed Adair knew right from wrong. Their testimony opposed that given by one psychiatrist and three physicians who testified Adair was mentally unsound.

Dr. L. E. Pennington, medical director at the hospital, joined with Dr. John R. Andrews and Dr. H. F. Bolding, staff psychiatrist, declaring Adair sane.

Adair Executed For Dallas Rape

News Wed. 9-5-51

By CLINT PACE

News Staff Writer

HUNTSVILLE, Texas, Sept. 5 (Wednesday).—Fred Felix Adair was executed Wednesday morning for the rape of a Dallas housewife.

He died in the electric chair at 12:07 a.m. without making a public confession of guilt.

The 27-year-old former pay-roll clerk was the first of three men who went to the chair Wednesday morning to pay with their lives for the crime of rape.

The other two were Negroes—Allen Matthews of Harris County and L. C. Sims from Collin County.

Adair was sentenced to die for raping a 31-year-old Vickery mother while her two terrified children looked on.

The offense was in 1949 and Adair was arrested on Thanksgiving Day after a police search to track down the man who had terrorized women in Dallas.

27e(2)

Two pleas for mercy were heard by the Board of Pardons and Paroles at Austin Tuesday afternoon, but they were rejected.

Adair had been in the death house before, but was saved when a jury decided he was insane. He was placed in Terrell State Hospital, but a later sanity trial jury held he was sane, and Adair was returned to State Prison for the execution that was carried out Wednesday morning.

Three charges of electricity, thirty seconds apart, executed Adair. The first charge was at 12:05 a.m. He was pronounced dead at 12:07 a.m.

After Adair was placed in the chair, he was asked if he had anything to say.

"No, sir," he replied, "I don't believe I do."

Adair's wife made her last visit in the death house Tuesday afternoon. Their 3-year-old daughter was not with her when she told her husband good-by.

Tuesday night, Mrs. Adair and relatives waited in an automobile outside the prison wall, at a point about even with the death house. Arrangements had been made for a Dallas funeral home to take care of Adair's body.

Throughout the day chaplains who visited with Adair reported he was in good spirits.

Adair told reporters Tuesday afternoon he felt he had made his peace "upstairs" and would rather die in the 1,800-volt electric chair than spend years as a convict.

9-5-51

Prison attendants went to Adair's cell at 9 p.m. and prepared him for the chair.

For his last meal, Adair had his choice of anything he wanted to eat, if it were available. He ordered shrimp cocktail, fried chicken, a small steak, a slice of fried ham, French fried potatoes, buttered peas and corn, dill pickles, catsup, crackers, hot rolls, devil's food cake, strawberries with whipped cream and a quart of milk. Adair said he was disappointed that frog legs were not available.

27e(2)

The final attempts to save Adair from execution were made Tuesday both by the prison's psychiatrist and a friend of Adair's wife.

Dr. Chester A. Shaw, the psychiatrist who told the Board of Pardons and Paroles last week that Adair was insane, renewed his objection to execution in a telegram to the Governor's office.

"I feel that he should be given further consideration," the doctor wired.

The telegram was turned over to the board, which took no action. Nor was it swayed by an appearance in Austin of Mrs. Bea Arnold, Dallas friend of the Adair family.

Mrs. Arnold had a letter signed by eleven Dallas persons. It urged a stay of execution. They formerly worked with Adair, she said.

"Just give him thirty days more so they can do something—have mercy on him," she pleaded.

Board members listened in silence.

"Isn't there anything that you can do?" she asked.

Chairman L. C. Harris told her the board had made its decision.

Adair's execution came almost two years after his arrest as the man who had terrorized many Dallas women in their homes at night.

The question of his sanity was fought out in a series of court battles after his conviction on one of three charges of rape.

Dallas police hoped that Adair would confess to one or more unsolved crimes before he went to the chair.

But in an interview with a Dallas News reporter the day before he was executed, Adair said he not only had no such plan, but denied he was guilty of the offense for which he was to die.

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25 Years Assessed in Rape Case

Morning News Wed. 9-26-51

Dallas, Texas

Lonnie Benrus Bell, 21-year-old Negro, was convicted Tuesday of raping a Negro woman and assessed twenty-five years in prison by a jury in Judge Henry King's criminal district court.

27e(2)

The 37-year-old victim testified that she got off a bus just after midnight on the morning of July 18 on her way home after work, and walked down an alley back of Lowery Street, near South Lamar. Bell grabbed her from behind and started choking her, she said.

The victim said she screamed, fought and scratched, but that Bell beat her about the face and on the head and flung her to the ground and raped her.

Asst. Dist. Attys. Wayne Woodruff and Ray Stokes also brought in as witnesses Clyde Vaughn and Eddie Leroy Williams, who live near the scene.

Vaughn testified that the screams awoke him, and his wife testified that she called police. Williams, who also heard screams, tuned the police radio and heard a call go out for a car to the area. He ran to the alley, met Vaughn there and saw the complainant come running toward them, screaming that she had been raped.

A police car drove up, and Vaughn and Williams jumped in to aid the search. Bell was seen running down South Lamar, and was stopped and put under arrest.

Defense Atty. Bob Stinson put on a single alibi witness for Bell, who did not take the witness stand.

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7 Selected For Jury in Rape Trial

Morning News Tues. 11-27-51

P. 12

Seven jurors were chosen Monday for the rape trial of Odell Toliver, 31-year-old Negro, in Criminal District Court.

Tolivar is charged with raping a 71-year-old widow in her Highland Park residence last August.

27e(2)

Judge Robert A (Bob) Hall ordered the jury selection to resume at 9:30 a.m. Tuesday. Testimony is expected to begin sometime Tuesday afternoon.

Dallas, Texas

Asst Dist. Attys. Jimmie MacNicoll and Ray Stokes said they would ask the death penalty for Toliver. Defense Attys. Charles Hardeman and Tom Bamford are expected to plead Toliver not guilty.

In the other Criminal District Court, meanwhile, a 50-member jury panel was being examined for the trial of James Nathan Gilreath, 29-year-old ex-convict, on charges of attempted burglary.

Gilreath is charged with trying to burglarize a Safeway Store at 1703 Idaho last March. Police flushed Gilreath and Finley Donica, another ex-convict, as they attempted to enter the door of the Oak Cliff store.

'Airtight Alibi Fails,' Youth Given Chair For Alleged 'Rape'

Informer Sat 9-8-51

HOUSTON — Attorney Gabriel M. Nahas, who defended Louis Allison on trial for rape of a white woman, told the Informer Wednesday night that he is going to appeal the case.

Houston Texas

HOUSTON — Louis Allison, 20, of 1113 Dowling, was assessed the death penalty by a jury in Judge C. Winburn's court Wednesday, after a deliberation which lasted an hour and a half. The trial which began Monday was rushed to completion Wednesday at 3:30 p.m. after a night session, Tuesday night.

Allison faces the supreme penalty on an indictment that he robbed and criminally attacked a white woman, Mrs. Margaret Boudreaux, 32, of 2718 Hamilton, on July 28, between 5 and 5:15 a. m., in the presence of her two children.

Allison's apparently air-tight alibi for the time the woman said he attacked her was discredited apparenty on the basis that testimony of the victim was correct about the time element rather than that of Allison's best witness, Miss Bernice Gains, a waitress at Hogre- [illegible] cafe on Dowling, who [illegible] that she served Allison a pork chop sandwich and French-fried potatoes, and a bottle of Coca Cola that morning about 5:15 or 5:30.

The race angle reared its ugly head and figured in the argument of the Prosecuting Attorney throughout the trial.' Whenever a witness was on the stand for the defense and cross examined by the Prosecuting Attorney, he would ask the witness:

"You are colored like the defendant aren't you?"

Assistant Prosecuting Attorney Kendall in his summary told the jury that he was personally so convinced of the defendant's guilt that he was asking the supreme penalty so that all other women will be protected from being assailed.

27e

The prosecution' dwelt upon the fact that a "Negro man had carnal knowledge of a white woman" (for which reason the death penalty was asked. The prosecution said that there was no doubt in their minds as to the guilt of the defendant. District Attorney Sam Davis told the jury that "Negroes are naturally clannish" and would help their own race. He implied that all the colored witnesses were merely trying to "help" the defendant.

Informer

"Whose word are you going to believe, that waitress or a woman of character like Mrs. Boudreaux?" Attorney Davis fired at the jury.

Sat 9-8-51

In his dramatic closing remarks District Attorney Davis said that he hoped that the jury would return a verdict of death, saying,

Houston Texas

"Louis Allison, as the Lord liveth thou shall surely die!"

Defense Attorney Gabriel Nahas and his assistant John Hughes fought allantly for the defendant's life. They said that they only asked the jury to give Allison a fair and impartial judgement.

The Defense accused the Prosecution of failing to bring all of the scientific evidence possible in the case. He charged that the defendant's clothes were not put under microscopic examination, that the socks of the defendant were not examined for dust or soil from the Boudreaux' home. He said that fingerprints were not exhibited as conclusive evidence in the case. He said that no qualified experts were introduced as having made investigation in the case as to whether or not sperm mentioned in the medical report was from Louis Allison.

He charged that the District Attorney had introduced the race angle throughout the trial, stressing the fact that the witnesses for the defense were all Negroes.

Louis Allison appeared very calm and collected throughout the three-days of the trial. The courtroom was largely filled with colored people. There was no demonstration by anyone when the verdict was rendered.

Mrs. Boudreaux, in telling the jury of her experiences, wept copiously and said that she would never forget the man's face as long as she lived. She said that she could see the man's face every time she closed her eyes.

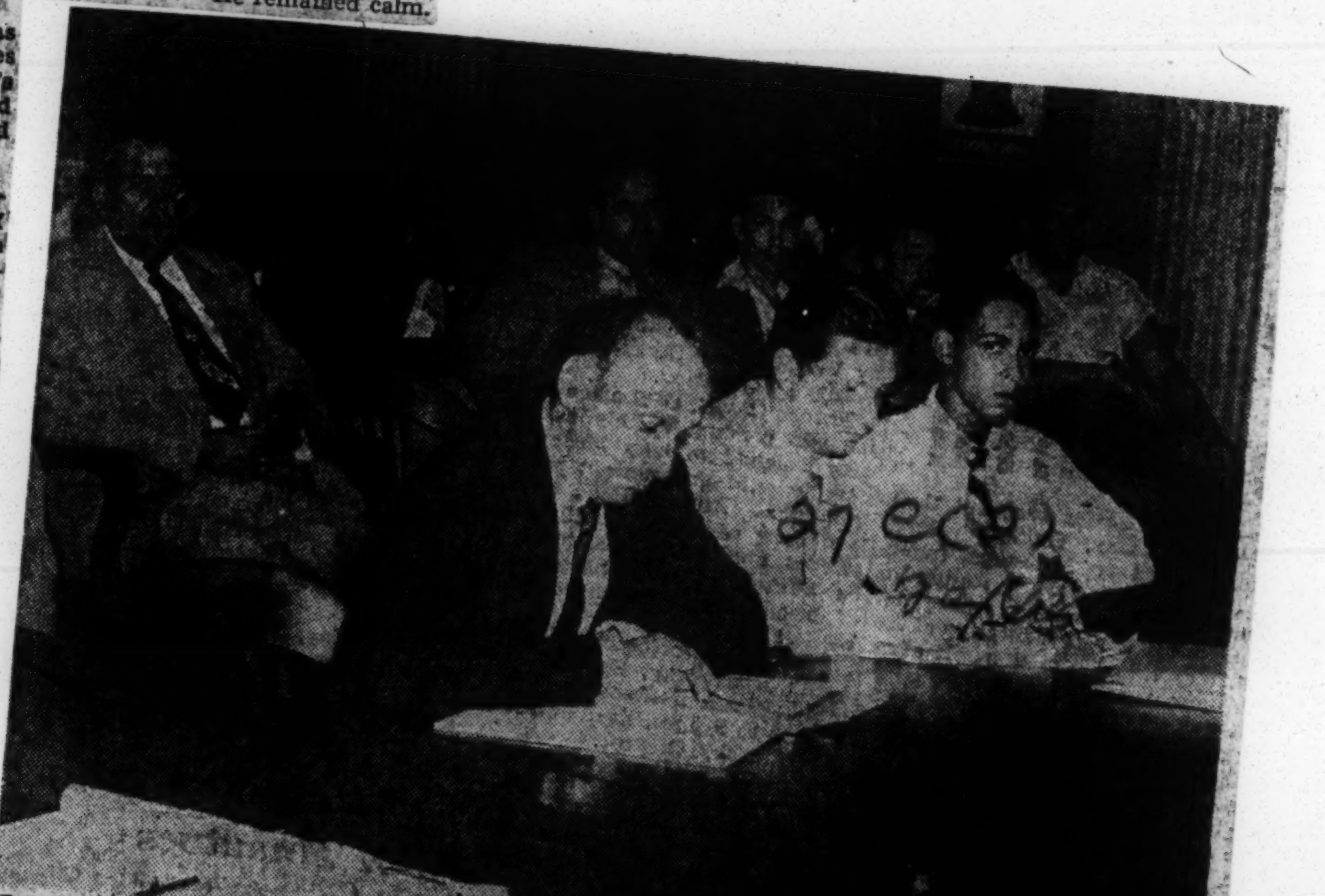
The Prosecution dwelt upon this phrase constantly never letting it get out of the jurors' minds.

The trial recalled in the minds of many about a not guilty verdict rendered in the case of a young colored mother and a white man who carried her in three counties and according to the young mother's testimony raped her and was acquitted by the jury.

The State went to Hemphill, Texas to bring back the two colored men who held Louis Allison until the police came, Lester White and Harvey White who testified that Allison struck officer Melvin one time. Louis Allison when he was on the stand denied striking the officer. The State now has a charge of perjury against Allison.

Houston Texas

When the foreman announced the death penalty, even this failed to move Allison. He remained calm.



LOUIS ALLISON, convicted of rape Wednesday and given the death penalty by a Harris county jury, is shown here during his three-day trial with his two attorneys in the courthouse. From left to right are: Gabriel Nahas head attorney, John Hughes, assistant attorney, and Allison. This picture is significant because it shows Allison in the calm, cool mood he maintained throughout the trial. Even when the jury's decision was read Allison never altered his expression.

27e(2) 1951 Utah 8292

Utah Riflemen Execute Rapist-Slayer of Girl, 17

POINT-OF-THE-MOUNTAIN, Utah, Sept. 29 (AP).—A Utah firing squad executed today a twenty-nine-year-old man who raped and killed a teen-age girl who answered his call for a baby sitter. The marksmen's rifles fired at 6:06 a. m., and Ray Dempsey Gardner was declared dead two and a half minutes later.

The Columbus, Ohio, man was condemned for the slaying, more than two years ago, of seventeen-year-old Shirley Jean Gretzinger, of Ogden, Utah.

Only a slight twitching of his arms, as they lay strapped along the sides of the execution chair, betrayed Gardner's nervousness during his final few minutes. Sheriff Mac Wade of Utah's Weber County asked if he had anything to say.

"I'm prepared to meet my Maker," responded the condemned man who had repeatedly tried to gain clemency.

Only a few hours before his death, Gardner lost his last desperate legal appeal. He asked Federal District Court to intervene in the case so that he could appeal to the United States Supreme Court. Judge Willis W. Ritter called an unusual midnight session to hear the plea, but rejected Gardner's petition. Both the Utah Supreme Court and the state's Acting Governor also had turned down last-minute appeals for clemency.

[illegible]

27e(2)

Utah

9-30-51

[illegible]

AFRO UNCOVERS INFORMATION GAGGED:

Exclusive: How Va's Governor Hid Facts on Martinsville 7

Afro-American Dat. 2-17-51

By J. D. SIMPSON

RICHMOND

The AFRO uncovered information this week tending to show that for a year or more Gov. John S. Battle has been building up a case against the Martinsville Seven, executed Friday and Monday, while shunning information in their behalf.

It would seem that the chief executive of a State would be as deeply interested in protecting the innocent as in punishing the guilty, but apparently that was not true in this case, the Governor making no effort to obtain pertinent information bearing on the issue.

The Rev. Robert S. Anderson, spiritual adviser to John C. Taylor, one of the seven, wrote the governor in June, 1950, stating that he had some information regarding the case that he desired the Governor to hear.

The Governor replied by inviting Mr. Anderson to accompany the attorneys when a conference was held by them with him, but the minister in question was out of the city at the time the hearing was held before the governor.

The information which he sought to give the governor was given to NAACP attorneys shortly after they took over the case, Mr. Anderson said, but that he understood that it had never been made available to Governor Battle.

This information, according to Mr. Anderson—and corroborated by other ministers who served as spiritual advisers to the men—raised serious doubt that the men were guilty of the crime of rape as charged and the validity of the alleged confessions obtained by police.

As to the alleged confessions, the men told their advisers—and stuck to their stories up until the last—that they were guilty only of fornication, two of them denying even that charge, but were forced by police to sign confessions of guilt.

Some said they were told by the officers that their companions had confessed, implicated them, and that they had the choice of admitting their guilt to the police or being handed over to a "mob of a thousand men waiting outside to take you."

Two others said they were seated in a chair, ringed by police, one of whom held a right stick over their heads, and told them that if they did not admit their guilt, they would be beaten to death with the menacing weapon in the officer's hands.

Having failed in his efforts to get this and other pertinent information before the governor, the Rev. Mr. Anderson wrote a letter Dec. 30 to the Richmond Times-Dispatch stating that he knew some things about the case "which it is not ethical for me to divulge to the public."

That letter having not been published, on Jan. 11, Mr. Anderson again wrote the Governor, enclosing a copy of his letter to the local daily. He never got a reply to the letter from Governor Battle. In the letter to the newspaper, Mr. Anderson raised six questions:

1. How were the confessions gotten by the police?

2. Were all of the facts brought out in court?

3. How many times have these men died already while waiting in the death cells?

4. These men are ignorant mentally and devoid of all church life. Isn't the community of Martinsville, the schools of Martinsville and the church equally responsible?

5. Is mercy in Virginia dead?

6. Shouldn't Virginia be satisfied with commuting these men's sentences to life in the penitentiary? "It may be my sad duty to walk with one of these men to the chair. If so, I shall always think of Virginia and Governor Battle as strangers to mercy."

On top of that, the night before the first four men were executed, Mr. Anderson and other spiritual advisers sought to ask the governor for a lie detector test for the men, but were not permitted to see him nor to get within 100 feet of the Governor's office.

Mr. Anderson, Dr. E. E. Smith and the Rev. C. W. T. Barnes, all advisers to the men, said they were stopped by guards at the 100-foot distance, forced to wait in the bitter cold until the Governor's secretary, Carter Lowance, came to where they stood.

They were not permitted to converse with the Governor, but after the conference in the cold, they were told that he would see to it that Governor Battle got the statement and the petition for a lie detector test for the men.

Martinsville 7's Funeral Held

Afro-American

RICHMOND

Requiem mass was said in St. Joseph Catholic Church Friday morning for Francis DeS. Grayson, one of "the Martinsville Seven," and burial followed in St. Joseph Cemetery, Father C. J. Crawley, S.S.J., officiating.

On Thursday night, prior to the funeral services, rosary services, held in the Moss Funeral Home chapel, [illegible] 1st St., attracted many hundreds, the major portion of whom were unable to crowd into the small building. They stood outside, however, despite the bitter cold.

While the rosary services were being conducted inside, a Civil Rights Congress leader took to the soap box lecture platform.

The crowd grew so large around him it was necessary for the mortician to ask him to remove his platform to the other side of the street. Traffic on 1st St. was tied up.

Many Policemen Present

The large contingent of police officers assigned to "cover" the funeral was scattered through the crowd outside the church, some seated in police cars. The entire contingent also followed the procession to the cemetery and remained until the crowd left.

Mr. Grayson leaves a wife, four sons, James W., 4; Charles E., [illegible] Lawrence M., 6; and Francis (Frank) DeS. Jr., 7; one daughter, Barbara L. Grayson, 9; his parents, Mr. and Mrs. Charles Grayson of Bowie, Md.; five brothers, three sisters, several nephews and nieces and other relatives.

Shock Prostrates Parents

His wife, Mrs. Josephine Grayson, now the guest of Mrs. Se[illegible] B. Lawson, local civic and political leader, plans to make her home in Richmond. She is a native of Leaksville, N.C. Mr. Grayson was born in Bowie, Md., where his parents now live.

Both parents were reportedly prostrated by the shock of his tragic death, and an aunt is reported to have died Tuesday, Feb. [illegible] following the executions of the [illegible] three of the seven men on [illegible]day.

Rites for the other electrocuted men were held in Martinsville earlier. Rites for the two Hairston brothers, Howard L., 20, and James L., 21, were conducted at the East Martinsville Baptist Church.

The funeral of Frank Hairston Jr., 20, no relation to the other Hairston boys, was conducted on Monday at the East Martinsville home of his parents, and burial followed in the family plot.

John C. Taylor, 22, was buried on Thursday, his rites having been postponed because of cold weather. Burial was in the home cemetery of his mother, Mrs. Jennie Taylor.

Millner, Hampton Rites

The funeral of Booker T. Millner, 22, was held last Sunday at East Martinsville's First Baptist Church and he was buried in Mayo Baptist Cemetery.

Joe Henry Hampton, 21, was buried in Pittsalvania County last Sunday, following funeral services at Shiloh Baptist Church. Cunningham and Hayes Funeral Home of Danville, handled the arrangements.

The James T. Allen Funeral Home of Martinsville made arrangements for other burials.

Youth Convicted In Raping Case

P. 16 Dec

A Fulton Superior Court jury Friday convicted Vernon Sylvester Matthews, 18-year-old Negro of 56 Bell St., S.E., of raping a white woman. Judge [illegible] B. Moore sentenced him to serve 12 to 20 years in the penitentiary. The offense was committed July 3 and Matthews was indicted by the grand jury July 27.

The Martinsville 7

Who was the victor beside the grim spectre of death in the mass executions of the seven Martinsville youths?

It was not the State of Virginia, nor its stern governor, John S. Battle, who refused to halt this wholesale slaughter of seven men, convicted under the most doubtful circumstances. They both lost prestige before the watchful eyes of the world.

It cannot be argued that justice won, considering the fact that none of the 808 white men convicted of rape in the 40-year history of capital punishment in Virginia had ever paid with their lives for this crime.

The United States, whose diplomats are working overtime to sell friendship and good will to the world's majority of darker peoples, certainly suffered a tactical defeat when the lives of these men were snuffed out.

Obviously the only victor in the whole sordid business of the Martinsville Seven was Russian propaganda.

You can bet the boys behind the Iron Curtain will not miss this golden opportunity to hold the case up before the world as another example of the kind of "democracy" America reserves for its 15 million citizens of color.

Afro 2-17-51

End to Martinsville Seven Case

Call

Date 3-[illegible]-51

Kansas City, Mo.

The case of the Martinsville Seven has ended.

It did not end gloriously as can be said of some cases which are pressed vigorously.

It ended with shame upon the American people.

The death of these seven Virginia men gives us cause for shame because it points up the bigotry and racial discrimination which still lurk in this country.

The seven were put to death for the rape of a white woman. Rape is a terrible crime, one that in many states is punishable by death. If everyone found guilty of rape were given the extreme penalty regardless of his race, there would have been no clamor for mercy in the case of the Martinsville Seven. The facts are, however, that in Virginia the death penalty for rape is "reserved" for Negroes. No white man found guilty of rape has been forced to pay with his life. It was upon this basis of racial discrimination that the appeals were made in behalf of the Martinsville Seven.

Our enemies abroad already have begun to use the Martinsville case as an example of the bigotry and hate that govern some parts of the United States. They will continue to cite it for years to come.

There is nothing more that can be done on behalf of the Martinsville Seven, but the legal lynching of these men can serve as a constant reminder that we must continue to press and to use all our strength and all our forces to fight bigotry and racial hatred.

Such cases as those of the Martinsville Seven serve to show how far we still have to go before we can classify ourselves as a real democracy.

Let the execution of the Martinsville Seven spur us on to fight harder to protect the rights of the Trenton Six, Willie McGee and other victims of injustice.

HELP INNOCENT MARTINSVILLE VICTIMS:

You Can Help 5 Children Left Fatherless by Va. 'Justice'

Afro-American

(Francis DeS. Grayson, one of the Martinsville Seven men executed in Richmond last week for rape, left a wife and five small children, James W., 4; Charles E., 5; Lawrence M., 6; Frank D., 7; and Barbara L., 9.)

By NAT TURNER

RICHMOND — The message in this story is addressed to you, you and you, wherever you are located around the globe and whatever your status, position in life, color or creed.

Date [illegible]-51

Thought Not Guilty

Five little children—beautiful little children, if you please, as if that mattered—have been robbed forever of the love, kindness, guidance and [illegible] of their father by the lopsided system of justice that prevails in our State of Virginia.

There are those of us who do not believe that their father was guilty of anything other than being found in questionable company.

But, be that as it may, these children are not responsible for the tragedy which befell them through his actions.

For that and other good reasons we are asking you to dig down into your jeans and contribute to a fund to aid the victims of this tragedy.

They are entitled to a decent start in life, an education that will equip them to serve their State and country to the fullest extent.

Let Your Heart Decide

In making your decision as to the amount you will give, think of your own children or those of your nearest and dearest relatives or friends, then let your heart be your guide. Anything that you give will be appreciated both by them and by us, but the bigger the gift the better.

It is up to us who believe in justice and equality for all men to do what we can to right this grievous wrong that has been perpetrated by the State of Virginia against these little ones who are unable to fight back or understand why they have been wronged.

The persons who conceived the campaign — Floyd Cephas, Richmond AFRO circulation manager, and Mrs. Blanche D. Simpson, wife of the Richmond AFRO editor, have set a goal of $2,000 during the next 40 days.

Persons desiring to contribute to the fundshould bring or mail their checks, money orders, etc., to Walter S. Banks, treasurer, Martinsville Seven Aid Fund, Consolidated Bank and Trust Co., 327 N. First St., Richmond, 19, Va.

The offices are as follows:

628 N. Eutaw St., Baltimore 1, Baltimore AFRO-AMERICAN, Md.; Washington AFRO-AMERICAN, 1800 Eleventh St., N.W., Washington 1, D.C.; Philadelphia AFRO-AMERICAN, 427 S. Broad St., Philadelphia 47, Pa.; New Jersey AFRO-AMERICAN, 173 W. [illegible], Newark 3, N.J., and Richmond AFRO-AMERICAN, 301 [illegible] St., Richmond 19, Va.

All contributions will be acknowledged through these columns.

Mass Execution Ends Martinsville Case

Afro American

Date 2-10-51

Baltimore, Md.

Governor Says Communists Did Not Influence Him to Deny Clemency

By JOSEPHUS SIMPSON

RICHMOND

Calm to the end, the three remaining men of the "Martinsville Seven" went to their deaths in the electric chair here Monday morning. Neither made any statement, according to penitentiary authorities.

First to walk to the chair was John C. Taylor. He was seated at 7:35 and pronounced dead at 7:41, followed by James L. Hairston at 7:51, pronounced dead at 8 a.m., and Francis DesS. Grayson, seated at 8:10 and pronounced dead at 8:15.

Authorities said that two of the bodies had been called for at 11 a.m., but no one at that time called for the body of Grayson.

Supreme Court Justice Harold H. Burton on Sunday night refused to stay the scheduled execution.

"Everything's all right, will see you on the other side," Smiling Joe H. Hampton, 22, first of four to be executed Friday told spectators as he walked to the electric chair.

Hampton was preceeded on the path to death by George T. Haley, 27, white, of Halifax County, who was convicted of the murder of a 14-year-old white school girl, thus following the Southern pattern of whites first even in death.

Schedule of Death

Unlike the colored men, Hailey fought the guards all the way from his cell in death row to the chair and had to be restrained while being strapped in at 730 a.m. He was dead at 7:40 a.m.

The four men who with the three others were sentenced to death for criminal assault on a white woman, went to their deaths in this order

Joe Henry Hampton, 22, at 8:05 a.m., pronounced dead at 8:12; Howard L. Hairston, 20, at 8:20 a.m., dead at 8:32; Booker T. Millner, 22, at 8:40 a.m., deadat 8:49; and Frank Hairston Jr., 20, at 8:55 a.m., dead at 905 a.m.

Confessions Called False

W. Frank Smyth, prison superintendent, said most of the families of the men had made arrangements for their bodies to be shipped at their expense.

Governor Denies Clemency

Governor John S. Battle refused a last - minute plea by six spiritual advisers of the men to grant a stay of execution to permit them to undergo a lie detector test.

The advisers, in a signed statement, told the Governor "We do not believe these men to be equally guilty. They have begged us to seek this privilege regardless of the outcome."

If the lie detector had proved the men's statements true, it would have rocked Virginia to its foundations.

Spiritual Advisers

Ministers signing the last - minute plea to the Governor were

The Revs. Robert S. Anderson, for John C. Taylor; C. C. Knight, for Joe H. Hampton; (Dr.) E. S. Smith, for Frank Hairston Jr.; C. W. T. Barnes, for James L. Hairston; H. G. Knight, for Howard Hairston, and William R. Harris, for Booker T. Millner.

Attorneys and organizations failed in concerted efforts to save the men.

Judge Armistead M. Dobie of the U.S. Circuit Court of Appeals for the Fourth District, on Wednesday, denied an appeal by Martin A. Martin, one of three attorneys for the men, for a "probable cause" order.

Chief Justice Fred M. Vinson of the U.S. Supreme Court refused to interfer after a midnight conference which he granted Mr. Martin on Thursday.

The U.S. Supreme Court twice refused to review the case which attracted nationwide attention.

New York Protests

In New York's Harlem on Friday afternoon, over 2,500 people gathered at 126th St. and Seventh Ave. to protest the execution of the first four men and demand justice for the remaining three.

A huge demonstration at City Hall in the afternoon called on Mayor Impellitteri to intervene with President Truman on behalf of the men.

Washington Vigil

In Washington, the "Death Watch," which started in front of the White House on Tuesday, was supplemented by scores of sympathizers from New York and other Eastern cities.

In spite of cold, rain and sleet, the march continued from dawn to dusk. Some of the participants kept their vigil for 24 hours at a stretch.

An official White House spokesman for President Truman told a group of colored leaders and ministers, led by Mary Church Terrell, that the President was "very familiar" with the case but that "he was not seeing anybody about the case."

Summary of Case

The men wer tried and convicted in a series of quick one-day trials in May, 1949, for alleged criminal assault on Mrs. Ruby Lloyd, 32, wife of a department store manager.

"Independent investigation by responsible citizens showed that "confessions" had been extorted from the men after violent maltreatment by local officials.

They repudiated their confessions in open court.

Black Record for Va.

With the death of the Martinsville Seven, the State of Virginia has now executed 48 colored men for alleged criminal assault on white women since 1908.

It has never sentenced a white man, convicted of the same crime, to death.

Prof. Chivers to Speak

MONTGOMERY, Ala. — The 51st annual observance of Founder's Day will be held at Alabama State College on Feb. 9.

8284

Black Dispatch
Feb 10-51
Okla. City, Okla.

"The Martinsville Seven"

No man believing in the sanctity of a woman's physical body and her virtue condones the crime of rape. There is no justification in law or social decency for the man who carnally knows a woman by force and without her consent. Penalties for this heinous crime of degenerates should be stern and uncompromising.

You of course know the mind of this writer at this moment is upon the extreme penalty exacted by the State of Virginia Tuesday from four black men, in what has become internationally known as the "Martinsville Seven" rape case. The lives of four of these defendants were snuffed out by the state Tuesday, and before these lines are read by Black Dispatch readers three more of these defendants are scheduled to "walk the last mile" in fire.

Of course if these men were guilty, beyond a reasonable doubt, and the State of Virginia has impartially followed this course, and demanded this penalty from all persons convicted in the commonweath of the charge of rape, there is nothing a law-abiding citizen who believes in the majesty of the law can say. If, on the other hand, there is room for doubt as to the guilt of these defendants, and the State of Virginia has given lighter penalties to citizens convicted of this offense, "upright men will be astonished."

It is contended by attorneys defending up to the last moment these seven condemned men that the State of Virginia, despite the fact hundreds of white men have been convicted since 1908 of the crime of rape, has never visited upon such convicted white men the extreme penalty of death, while on the other hand during that same period the State of Virginia has taken the lives of 44 convicted Negroes. No one who reviews this gruesome record can say that the Old Dominion state has been impartially administering its laws.

In addition to this it was contended by Civil Right Congress attorneys that there was no evidence other than that of the prosecutrix, that the crime was actually committed, and it is charged since the trial the woman has completely disappeared. This would loan color to the charge made during the closing hours of these men's lives that the evidence submitted by this woman might not have been made in good faith. Would not the fact that this woman took herself completely out of circulation loan reasonable doubt regarding her credibility? This doubt could not exist so long as she was in court defending her charge, or as long as she allowed her friends and the court to know of her whereabouts, but the moment she dropped out of sight, there should be sufficient doubt as to the integrity of the charges made to have at least warranted commutation of sentence to life imprisonment. We believe the fact of the woman's disappearance should have been sufficient to warrant the Supreme Court of the United States, the President of the United States and the Governor of Virginia to question the integrity and honesty of the prosecutrix.

We want, however, to go back to the statistics which show that up to this trial no white man in Virginia has paid the extreme penalty for the crime of rape since 1908, while the lives of 44 blacks have been snuffed out for the same offense during the same period. Is not this prima facia evidence that the State of Virginia is biased and partial in the administration of justice? Why should a commonwealth have a penalty for one whose face is black and an entirely different one for the same crime when the defendant is white? In this instance we discover lack of democracy in penalty, and we are positive that this arrangement was arrived at down in Dixie in order that white men would not have to die when convicted of raping black women. The record in Virginia is fairly representative of court practices and sanctions in the entire Southland.

Quite recently Oklahoma snuffed out the life of a black man charged with the crime of rape down at Sulphur, while in Oklahoma City a white man, caught almost red-handed, raping a little black girl in the Minnie Page addition to Oklahoma City, was allowed to go scot free. Raping a black woman is largely a laughing matter in court when a white man is involved. We recall several years ago when a university professor was exposed as having violated the person of at least a dozen little Negro tots, no white jury in Oklahoma county would convict this horrible creature who probably across a period of years had ruined the lives of a score of Negro girls.

The opinion of the Black Dispatch is that rape should be rape irrespective to whom upon which it is visited, and by whom committed. This nation must be rid of black justice and white justice. Justice should be blindfolded and measure out impartially and even-handed the same penalties to all.

There has been some discussion to the effect that the "Martinsville Seven" might have received beter treatment at the hands of the law if the Civil Rights Congress had not had charge of the case. The same allegation was made when the International Labor Defense had charge of the Scottsboro boys. Both of these two organizations are charged with being Communistic and the suggestion is the defendants "got stuck" because Communists had their cases.

But we are reluctant to take this approach to American justice. We cannot see how the rights of an individual could be callously set aside simply because someone did not like someone ,who originally had nothing to do with the issues at bar. It appears to this writer when a man lands in court on a certain definite charge, the issues should be contained within those expressed charges and not expanded to include political questions with which the defendant has no relationship whatever. It seems to us that the idea of guilt has been expanded to include entirely too much extraneous and foreign elements if we are going to assess defendants in court with penalties because of who represents them.

As one who has been in the civil rights field for many years, and has engaged in many struggles for self-determination and genuine democracy, we want to say here and now that ofttimes when members of minority groups get into trouble regarding community and local sanctions, the best and most circumspect attorneys will not take a black man's case. In such an emergency what is a black man to do? We recall one case that was so hot even Negro attorneys backed away from it. Surely reaction is not so marble-hearted it would require a black man to stand helpless, undefended before the bar of justice, because those who oppose him demand that they select his counsel. When a day like this arrives in America tyranny and despotism have usurped law and freedom and citizens become puny slaves of society. We are certainly reluctant to believe that seven black men in Virginia were offered up as sacrifices to the wanton, unrestrained whim and caprice of sectional sanctions rather than upon the sheer merit in their cases.

Think this over in your own mind, dear reader, and you decide for yourself whether justice is peeping over her glasses down in the great state of Virginia. In forty-two years, with white and black men both commiting the crime of rape, government in the Old Dominion snuffs out the lives of forty-four blacks and scars not even the finger of the white brutes. Here one looks squarely at a glaring, unprincipled departure from justice and fair play. The same statistics will show that courts do not assess the same degree of punishment upon those who violate the black woman's virtue as is assessed upon those who commit the same and identical offense against white women.

The milk of human kindness and genuine democracy will never enter our courts of justice until all over this broad land there is integrity in indictment, fair trials and impartial penalties. This measuring yardstick of brotherhood was totally absent in the trial of the "Martinsville Seven."

3 Youths March Calmly To The Death Chambers

RICHMOND, Virginia — The last three members of the now famed "Martinsville Seven" quietly met ~~death in the Richmond~~ electric chair Monday in the finale of a case that has drawn international attention.

2 7 e (2)

Extra guards were posted around the prison walls in anticipation of a possible "protest" gathering.

Only a few persons were present, however, to stare through the prison gates as the men walked to the death chambers.

The executions of the last trio began at 7:30 a. m.

John Claborn Taylor, 24, was first to enter the death house. He was pronounced dead eleven minutes later. James Luther Hairston 22, and Francis Desales Grayson, 39, followed him in that order.

The three men and their four companions who were put to death Friday were sentenced on conviction of raping a 32 year old Martinsville, Va., white woman two years ago.

Some 400 delegates to a mass protest meeting streamed into Virginia's capital city last Tuesday to ask that the sentences be reduced from the death penalty.

PICKET WHITE HOUSE

2-9-51

After the four executions on Friday nearly 300 persons picketed the white house in Washington and called upon President Truman to intervene in the last three electrocutions.

The Richmond meeting was sponsored by the Civil Rights congress. This organization earlier was described as a subversive group by the U. S. attorney general.

Gov. John S. Battle spurned the appeal in behalf of Frank Harriston Jr., Booker T. Millner Joe Henry Hampton and Lee Hairston who were sent to death Friday.

The governor declared the facts in the case which he described as a "brutal attack," warranted only death.

In upholding the executions, Gov. Battle also disclosed that he had received hundreds of letters pleading for his intercession. Some of the letters, according to the Governor, came from communist China and "from behind the iron curtain."

Protests against electrocution of the "Martinsville Seven" continued however, until the last hour Monday morning when the few spectators still demonstrating before the State Capitol read from the Bible as the execution hour neared.

The Governor's office reported that a few telegrams, urging commutation of the sentences, were received even after the men had been electrocuted.

A group of demonstrators staged a final organized protest Sunday when they marched around the state house grounds, wearing black arm bands and carrying funeral wreaths in what they proclaimed to be a "vigil of prayer."

OUR BROTHER'S KEEPER:

Student Resents Scoff at Martinsville Area

Afro-American

(Senior at Virginia State College)

By ORIS E. CARTER

Dear AFRO:—Because I believe in brotherhood and in the humiliation and degradation of none, I wish to comment on an article which appeared in your paper on Feb. 3, written by a Mr. Gillespie. The article was entitled "Martinsville Seven Harasses Residents."

The writer must be a new reporter, for I am sure that no experienced reporter would print an article which would unjustly humiliate a section or a group of people. The article stated:

"It isn't generally known but residents here do not consider the defendants residents of Martinsville proper. Although they live within the city limits, the city has what is called an East and West Martinsville. These men were from East Martinsville, where people are looked upon with just a little less favor than those of the West side."

27 e (2)

Detests Stereotypes

One would not expect to find such an article in a newspaper such as yours, which I thought was interested in truth and welfare of all. We are trying daily to abolish stereotyped "tags" which are given to us by prejudiced whites. We detest such statements as: "We couldn't expect more from them; they are colored people."

Mr. Gillespie did not hesitate, however, to print an article which stereotyped a particular section. The article in essence states that no more could have been expected from that section; it implies that the East-end, although a part of the city limits, is still considered a "Dog Patch."

I was shocked to discover such a prejudiced deduction so conspicuously displayed in a medium of peace, freedom, and fair play. This "Martinsville Seven Case" has created enough humiliation without inciting sectionalism.

Teachers, Doctors Angle

Another factor presented itself to me. Some of the West-end citizens are teachers of East-end pupils. If they are aware of the inferiority of the Eastenders, why have they kept it a secret until now?

They probably were sitting comfortably back in their cultured homes waiting for this inevitable crime to be committed. Then there are the doctors of the West-end. From all indications they felt that their only responsibility was to drive down in their cars and make money, careful not to come in contact with their inferior neighbors.

The Martinsville Seven case hurt the pride of all sensible, decent Martinsville citizens!

Amazingly, however, there are always those weak, insecure persons who are forever looking for an escape. There are always those who set out to make some type of excuse for their inadequacy.

Following this same rule, certain Martinsville citizens who know that they have not done their duties, now look for an excuse.

West End Has "Joints"

Those who reported to the writer that the Martinsville Seven were not from Martinsville as such, aside from reasoning illogically, also did not report the truth. Strange, they did say that East-Martinsville is inhabited by some of Martinsville's most progressive and conscientious citizens.

They did not say the East Martinsville has sent to colleges some of the brightest and most active students. They dare not say that East Martinsville has fewer illegal whisky sellers, fewer gambling "joints," and fewer road houses. It is to the West-end that most Martinsville youths go for their unwholesome recreation.

Yes, East Martinsville has its weaknesses, but what section doesn't? In the final analysis, the theory that "we are our brother's keeper," is still an absolute truth!

[EDITOR'S NOTE: The author's criticisms are welcome, but the AFRO is impelled to note that the very thing which is being criticized by the writer is being continued in the above article.

The lack of interest in the Martinsville case, the failure of Martinsville residents to protest the action—despite the fact that their pride was hurt by the case—has been considered one of the amazing things about the case.

The author of the article in question is an experienced reporter. His sole desire, and that of the paper, was merely to report the situation as he saw it.]

Five in Rape Case Freed

Va.

RICHMOND, Va. — Cases against four Richmond youths, held for alleged rape of a 25-year-old white woman, were dismissed here last week by Judge Montgomery of Juvenile Court. Charges against a fifth suspect had been dropped a week before. Civil Rights Congress aided the defendants.

Jury Indicts Youth For Attempted Rape

Va.

GOOCHLAND, Va.—A 16-year-old white boy has been indicted by the Goochland county grand jury on a charge of attempting to rape a 13-year-old Negro girl. His trial was set for December 12 in Goochland Circuit court. Commonwealth's Atty. J. E. Knibb said the attempt took place near here last August.

South's Claims About Equal Justice Are Hypocritical

LAST August 2 a white man, visiting from New York in his native Hertford county, North Carolina, was acquitted by a trial jury of charges of sexually molesting a colored girl whom he had employed as a baby-sitter. Judge **Henry A. Grady**, who's been on the Old North State bench for 29 years, promptly and vigorously assailed the verdict as a gross miscarriage of justice and ordered the suspect, **Frank Newsome**, 45, held on charges of rape and perjury.

Va.

Last week a grand jury refused to indict **Newsome** on any charge in connection with the case. Presumably, that ends the episode so far as judicial or police action is concerned. But it will not remove the judge's comment from the bench that the original acquittal was "the greatest miscarriage of justice" he had observed in all his long and honorable years as a judge and that, if ever there was a case of rape, the assault on the fifteen-year-old colored girl was just that.

Oct. 10-27-51

Such things as this prove once again that the South will always be guilty of unbalanced justice so long as it considers Negro females incapable of being violated.

Va.

The fact that rarely if ever in a southern state is a white man executed for rape, even when the victim is white; that a white man is rarely even tried for raping a Negro, and if he is tried and convicted it is usually on some lesser charge; and that Negroes accused of rape on white females are almost invariably executed—if they are not first lynched without trial—proves that there is a dual code based on racial considerations.

This constitutes an alarming and deeply disturbing part of the South's thinking. With such an attitude predominant, can a Negro ever expect justice, be he the offender or she the victim? Until a change is wrought, the South's claims of extending equal justice remains hypocritical.

27e(2) 1951 Virginia 8285

Police Take Accused Cabbie to Jail

27e(2)
Va.

Charles Griffith, 24, kept the same sullen look he has on his face now, throughout the preliminary hearing, Friday, when he was denied bail and held for the grand jury on felonious and ~~criminal assaulting~~ of Mrs. Virginia Robinson. Here, Capt. R. E. Blick leads Griffith to court.

Scene Where Petersburg Matron Was Attacked

Afro-American
Sat. 5-5-51
[illegible] ed.

This is dirt road where Mrs. Virginia L. Robinson says that Charles W. Griffith drove her on the night of April 19. She charges that he attacked, stabbed and left her bleeding. Striped arrow points to Baylors Lane, striped square is approximately where Griffith stopped cab; and black arrow points to wooded area where the woman says she was pulled following assault.

Police Term Red-Haired Cabbie Held Without Bail

Afro American
Sat. 5-5-51

Courtroom Jammed for Hearing as Witnesses Give Damaging Reports

Baltimore ed.

PETERSBURG, Va. — Police court was packed to the doors Friday when red-headed Charles W. Griffith, white cab driver, was denied bail and held for the grand jury in the alleged felonious and criminal assault of a 30-year-old ~~matron, Mrs.~~ Virginia L. Robinson, a case police have called one of the worst reported in this area.

The 24-year-old cabbie sat silent and sullen as a half-dozen witnesses gave damaging testimony that resulted in Justice Edwin F. Clements holding him for the jury in Hustings Court at 10 a.m. on May 17.

27e(2)

Police have already said that if proven, it will be one of the worst assault cases to occur in Petersburg.

Va

First to testify was Mrs. Robinson who, because of knife wounds sustained in a battle with the cabbie, was unable to appear for two previously scheduled hearings and was practically carried to police court Friday.

The matron, who was stabbed in the stomach and left leg, entered the courtroom supported by her parents, Mr. and Mrs. Charlie Coleman. Half bent over, she winced and grimaced with every step.

Couldn't Make the Stand

When called to testify, despite the aid of her parents, Mrs. Robinson appeared to be in too much pain to make the witness stand and was permitted to tell her story from a chair placed in front of the judge's bench.

For the most part, Griffith, clad in blue dungarees, a soiled coat, his shirt open, sat motionless as Mrs. Robinson told her version of the incident. Every now and then, his brow would furrow and he would twist his mouth as the matron spoke.

Her testimony, given in slow, whispering tones, followed the same lines of the report she had given to police on the night of Thursday, April 19, following the alleged attack. She had taken lunch to her boyfriend, Bernard Kates at the Zero Ice House and then called a cab to return her to her home at 1114 St. James St.

Tells of Assault

And, as she had reported, Mrs. Robinson testified that Griffith, who answered her call for a cab, had been paid by Mr. Kates, but instead of taking her home, had driven to Baylor's Lane, turned off on a dirt road, attacked her, stabbed her twice and left her lying bleeding as he returned to Petersburg.

The woman said that at the time of the assault, Griffith controlled her by ramming his arm under her neck. He thrust a dollar bill in her hand while committing the act, she testified, and then took it back when he finished.

Next to testify was Mrs. Ruth Case of 1116 St. James St., relative of Mr. Kates's, who said that, as was her nightly custom, she had fixed his lunch and given it to Mrs. Robinson to take to him.

Mr. Kates took the stand next and became so violent in his testimony referring to Griffith that Justice Clements had to intervene.

Boy Friend Curses Cabbie

The ice house worker testified that when Griffith arrived to take Mrs. Robinson home, he (Kates) paid the fare. Later, Mr. Kates said, the cabbie returned and requested his fare, stating that he had not been paid (This was after the alleged attack).

"I told him he's a g—d— liar," Mr. Kates shouted, looking straight at Griffith who slumped down in his seat.

Half out of his seat on the stand and still directing his remarks at the white cabbie, Mr. Kates repeated over and over again the curse words he had used when approached about the fare.

It was then that Justice Clements toned the man down by asking: "Who are you angry with?"

"I'm not mad with anyone," Mr. Kates replied and then completed his testimony without any other signs of emotion.

Only Coat Lining Left

Following Kates to the stand was Mrs. Doris Richardson of 1417 Baylors La. where Mrs. Robinson went following the alleged attack. It was there the injured woman had called a colored cab driver to take her home.

Mrs. Richardson told the court that Mrs. Robinson had come there at approximately 10 p.m. She was bleeding from the leg, Mrs. Richardson said, and held the lining of her coat in her hand.

The other two witnesses were the victim's mother, Mrs. Martha Coleman and Det. R. H. Stewart who was among policemen investigating the assault.

The detective read a statement that he said had been signed by the cabbie. In the statement, Griffith gives two versions of the incident.

Driver's Two Versions

His first story, according to the report, was that Mrs. Robinson had instructed him to go to Baylors Lane and that when they arrived there, he asked her where she wanted to go and she said "up in the lane."

Griffith glanced back, the report read, and saw her with a knife. The cabbie was quoted as having stated that he called over the cab radio instructing the operator to call police and at that time, Mrs. Robinson reached over the seat and cut him on the hand.

According to police, they have no record of the call. Griffith's other story, according to the report, was that Mrs. Robinson asked him if he had ever gone with colored girls and offered herself to him for $2. When he told her he had no money, she volunteered to have intimate relations with him.

Following the act, the report stated, the driver checked in over the radio to his office and, while doing this, he was cut by Mrs. Robinson. The two fought and she was stabbed.

Griffith Once Carried Knife

Detective Stewart said that Griffith told him that he did not know where the knife was and that he (the cabbie), had not carried a knife of his own since October, 1950.

After receiving Mrs. Robinson's complaint and taking the statement from the taxi driver, the detective said, police went to the scene of the scuffle and within a 150-yard radius found Mrs. Robinson's blue coat in five different pieces, with the buttons and laundry marks scattered about.

A hearing in the case had been set for the Friday following the alleged attack, but it was postponed to last Wednesday due to Mrs. Robinson's condition.

It was postponed a second time when Mrs. Robinson, on orders from her doctor, failed to appear at court Wednesday. Dr. W. B. Greene said that the matron suffered a relapse the day before when she collapsed while trying to walk on her injured leg.

Captain Calls It "Worst"

Following the alleged criminal assault, Capt. R. E. Blick, who headed the police investigation, said:

"If proven, it will be one of the worst cases of its type that I have seen in my 10 years on the force."

Commonwealth's Attorney Oliver A. Pollard is prosecuting the case.

"Cab driver did not testify and was not represented by a lawyer.

AN ELECTION TIME MANEUVER?

White Youth Accused of Attack Is Free 48 Hours

Va

Afro-American Sat. 8-11-51

RICHMOND

It took Commonwealth Attorney K. C. Nibbs of Goochland over 48 hours to arrest a 17-year-old white youth who was stopped in the midst of attempting to attack a 13-year-old girl because she wailed, "I'm going to tell my mother and father."

However, Attorney Nibbs, who is opposed in the ~~coming~~ election by P. A. L. Smith, knew of the attempted criminal assault almost immediately after it had happened because the parents had told him.

By Wednesday morning, when Oliver Hill, NAACP attorney, called him, the boy had not been taken into custody. An hour later, when the AFRO called, he had been arrested.

No trial date has been set for the boy, Harold Parrish, son of Mr. and Mrs. Ben Parrish of Goochland, according to Nibbs. He stated he did not know whether the parents had posted bond.

Parents of the girl have ten children who range in age from 7 months to 17 years.

The mother of the girl told the AFRO this story:

Va

At 9 a.m. Monday, the boy came to her house in Sandyhook, Goochland County, to ask her to come work for his mother for two hours.

The mother was not at home and the 13-year-old girl, who has been ill with diabetes for some time, answered the door. Harold left then and returned later to say his mother wanted the young girl to work for her.

The girl said she had to stay and mind her 7-month-old sister. The boy insisted and she asked the father, who was in the house at the time, whether she could go. He said yes and she left in the car.

Up the road a mile and one half he pulled off the highway, the mother said, and pushed her daughter down on the seat. As he attempted to attack her, she told him she was going to tell her mother and father. He stopped, took her back on the main highway near to her home.

He let her out of the car just as her father was coming down the road. The father picked the girl up and went immediately for her mother who was working.

The mother went first to the parents of the boy, then she went to see Commonwealth Attorney Nibbs, who in turn sent her to a Dr. W. S. Lloyd who examined the girl. The mother said that the doctor told her there was evidence of an attack.

The girl's parents stated that when by Tuesday no arrest had been made, the mother swore out a warrant.

More Than State Asked

Arlington Youth Gets 35 Years For Rape of Ensign's Bride

Post. Sat. 11-3-51

John Robert Polk, 20, of Arlington, who pleaded guilty to a charge of raping the bride of a Navy ensign last June 25, was sentenced to 35 years in the State Penitentiary at Richmond.

Fairfax County Circuit Court Judge Arthur W. Sinclair imposed a sentence five years longer than that recommended by the Commonwealth's Attorney.

William Robert Payne, 25, of 216 Wooten st., Bethesda, who also pleaded guilty to rape charges, will be sentenced Monday by Judge Sinclair.

Both he and Polk, whose Arlington address was 836 N. Wakefield st., are scheduled for trial in Arlington County November 20 on charges of abduction, burglary and attempt to extort money.

The pretty, 19-year-old blond victim testified yesterday before a cleared courtroom.

She told how Polk held her husband at gunpoint in their Colonial Village apartment, forced her to leave by the window and get into a car where Payne was waiting.

Before sentencing Polk, Judge Sinclair read aloud the required probation report. It detailed a police record that dates back to 1941, when Polk was 10 years old.

Washington

Commonwealth's Attorney Hugh B. Marsh recommended a sentence of 30 years. Edward C. Hall, Polk's attorney, asked for a five or 10-year sentence.

In imposing the sentence, Judge Sinclair said that he "can see no possible excuse for the crime, nor can I conceive a worse set of facts."

Va

Polk, who tried to escape from the Arlington County jail in August, was told by Judge Sinclair that under Virginia statutes he could get one-third of the sentence off for good behavior and would be eligible for parole after one-fourth of the term.

27e(2) 1951 Virginia

8290

ATTACK CHARGE THROWN OUT:

Dapper Virginia Youth Gets Light Sentence

Afro American Sat. 10-20-51

RICHMOND

"If this had been in the country, that boy wouldn't have gone free."

That statement was made by Mack Ruffin, farmer from Amelia, Va., after 16-year-old Raymond Manning was given a probationary sentence on a charge of having unlawful relations with the man's 19-year-old daughter and was freed under probation. (Length of probation is not known.)

Young Manning, an Armstrong High School cadet and son of Walter J. Manning, Church Hill undertaker, received the judgment in Juvenile Court, Tuesday.

Witnesses to the hearing told the AFRO that Judge James H. Montgomery ruled that testimony did not indicate that the girl had used enough force in resisting the Manning boy to substantiate an original charge of criminal assault.

Beecher E. Stallard, attorney for the youth, stated that the boy was guilty of unlawful relations, witnesses said.

27e(2)

Manning Did Not Testify

Sources said that the hearing lasted for two hours with testimony coming only from the girl and a doctor who examined her following the incident.

Va

The girl testified for approximately 35 minutes, the doctor for about 15 minutes, with the rest of the time used by Mr. Stallard in extensive cross-examining and Judge Montgomery who asked questions from time to time.

According to witnesses, the girl's testimony was similar to what she told police and the AFRO after the alleged attack on Sept. 2, namely that young Manning had walked her home and pulled her into an alley behind the house and forced himself upon her.

Verdict Hinged on Scene

However, it was revealed, Mr. Stallard produced pictures of the alleged scene and asked the girl to point out the spot where the act occurred.

It was reported that the spot chosen by the girl was not in an alley, but rather in an areaway on the grass outside the house and next to a bathroom window. This is believed to have effected Judge Montgomery's ruling, and is said to have been the basis of the defense's case.

The girl is said to have testified that she was too frightened to scream.

Boy's Father Gets Statement

The trial was interrupted twice, witnesses said, once when Mr. Manning left to get a doctor's statement to prove that the girl's condition could have been caused by an illness and not an attack,

RAYMOND MANNING

and a second time for a five-minute recess.

Afro American

Relatives had told the AFRO previously that following the alleged attack, the girl had been given two blood transfusions at St. Philip Hospital and doctors thought they might have to operate.

It was during the recess, that the jurist called Mr. Stallard and Kermit V. Rooke, attorney for the girl, and reportedly stated that he could not find sufficient evidence of criminal attack and therefore could not send the case to [illegible] grand jury.

Judge Montgomery reportedly issued a stern warning to the Manning boy, telling him that the court did not condone his actions.

Ruffins Kept Out

Among the persons in the courtroom, witnesses said, were two or three probation officers, the chief probation officer, the investigating detective and Mr. and Mrs. Manning and a daughter.

None of the girl's relatives were in the courtroom. Judge Montgomery could not be reached to ask why the complainant's parents were excluded, but one of the lawyer's stated that he believed it was due to the lack of space.

The attorney said that according to law, the parents of the accused juvenile must attend the hearing and that since the courtroom seats approximately 10, there was no room for the girl's parents.

Girl's Father Resentful

At the conclusion of the hearing, Mr. Ruffin appeared confused and resentful. He told the AFRO:

"They told us (Mr. Ruffin and his wife), that our daughter was old enough to speak for herself, and wouldn't let us in. I still don't know what happened to the boy, all I know is that he's free. From what I gather, he's just been placed on probation. For how long, nobody seems to know. It doesn't look like the law in Richmond gives poor folks any protection."

His daughter is one of 10 children. She came from Amelia in November of last year, to live with an aunt in Richmond.

Mr. Rooke agreed with the father in not knowing how long the probation would last. The lawyer said the jurist set no definite length of probation. Judge Montgomery was out when the AFRO inquired and members of his staff said that they were not allowed to give out the information.

The Ruffins, who had come up from Amelia to the trial, went to a relative's home at 1211½ N. 27th St., after the hearing.

The Manning Funeral Home is a half-block away in the 1100 block N. 27th St. When the AFRO arrived to talk with the Ruffins, the Manning boy, neatly attired in a blue suit, was coming out of his front door.

The case had been set for Sept. 18 but had been postponed to the October date. Mr. Ruffin said that prior to the trial, he had been offered $300 to have the charge dropped against young Manning.

Wade Seeks to Right Records for Rapist

Morning News Dallas, Tex.

Dist. Atty. Henry Wade said Monday he would try this week to correct a court record error that resulted in the release of a convicted rapist from prison after he had served only eight months of a 5-year sentence.

27e(2) Va.

Wade said his office would file a motion in Criminal District Court to correct a mistake in the prison commitment of 18-year-old J. W. Connally.

Connally, convicted here last February of raping a 19-year-old girl in March, 1950, was released from the penitentiary last week after serving only eight months.

Gov. Allan Shivers granted Connally a conditional pardon after prison records showed Connally's prison commitment date to be Feb. 21, 1950, two weeks before Connally committed the crime.

Prison records gave Connally two years and three months credit on his 5-year sentence.

But Dist. Judge Fred Erisman of Longview, who tried the case in Dallas last February, said Monday that he had made a mistake in dating Connally's sentence Feb. 21, 1950.

"The sentence should have been dated from the time of the jury verdict in 1951," the judge said. "If the District Attorney files a motion to correct the judgment, I'll come to Dallas to do it."

The court docket sheet on Connally's case showed that Judge Erisman noted that the trial began Feb. 19, 1951. But the next entry read "Feb. 21, 1950, final jury arguments begin."

The final entry said, "Defendant sentenced to five years' confinement in the state penitentiary of Texas. Sentence to begin as of Feb. 21, 1950."

Connally's prison release came before his two convicted companions ever got to prison. Lloyd Edmond Bowles, 20, and Clifford Den Hendon, 18, each drew 10-year sentences for the same offense. They are on bond while their cases are on appeal.

The three youths were charged with picking up two 19-year-old girls in a Dallas tavern in March, 1950, taking them north on Abrams Road and then beating and raping them. One of the girls suffered a broken jaw.

Testimony showed that Connally raped one of the girls.

Connally was released from jail on $8,000 worth of bonds shortly after his arrest and therefore was not eligible for a prison commitment prior to his conviction. Defendants who spend several months or even a few weeks in jail awaiting trial usually are allowed that time when their prison commitments are written by the judge.

District Attorney Wade said he would file a motion in Judge Henry King's court to correct Connally's commitment date some time this week.

Whether the corrected commitment would mean Connally would have to return to prison remained to be seen. Wade said his office would not recommend for or against clemency.

"Whether or not the defendant is granted clemency is up to the Board of Pardons and Paroles," Wade said.

Grand Jury Probe Urged

Rape Suspect Killed; Girl's Brother Held

Prisoner Shot Down as He Stood Manacled Between Two Deputies Sheriff at Scene of Alleged Crime; Question Motives of Officers

P. 2.

HALIFAX, Va.—Commonwealth's Attorney F. L. McKinney has called for a grand jury investigation into the fatal shooting of a Negro charged with attempted rape.

McKinney declared that the circumstances surrounding the death of Thomas Harris should be looked into at once.

MAN ARRESTED

Courier

Meanwhile, Harold Dixon has been arrested on a charge of slaying Harris.

12-13-51

Harris was shot and killed the morning of Dec. 3 while he stood manacled between two deputies sheriff who had taken him to the honeysuckle patch where it was charged, he had molested a teen-age Negro girl.

Dixon, brother of the girl, later surrendered to police. The latter said Dixon had confessed that he killed Harris. The girl is confined in a South Boston, Va., hospital, where doctors said she will recover.

Pittsburg Pa

McKinney said he wanted to know why the police took a prisoner to the scene of a crime when the prisoner had confessed his guilt. He said he also wanted to know if Dixon had been tipped off that Harris was to be taken to the honeysuckle patch.

27e(2) 1951 Virginia

8291

Die In Electric Chair; 300 Picket White House

Call

Four Put To Death Friday; Other Three On Monday

Fri. 2-9-51

RICHMOND, Va. — (INS) — The last three members of the now famed "Martinsville Seven" met death quietly in the Richmond electric chair Monday, Feb. [illegible] the finale of a case that has drawn international attention. Four of the seven were put to death Friday.

Extra guards were posted around the prison walls in anticipation of a possible "protest" gathering but only a few persons were on hand to stare through the gates as the men walked to the death chamber.

The three and their four companions who were put to death Friday were sentenced to die after being convicted of raping a 32-year-old Martinsville, Va., white woman two years ago.

Some of 400 delegates to a mass protest meeting streamed into Virginia's captial city Tuesday to ask that the sentences be lightened.

27e(2)

PICKET WHITE HOUSE

Following the Friday executions, approximately 300 persons picketed the White House in Washington and called on President Truman to intervene in the last three electrocutions.

Va

The Richmond meeting was sponsored by the Civil Rights congress which has been termed subversive by the office of the U. S. attorney general.

Executed Monday were Frances D. Grayson, 39; John C. Taylor, 23; and James L. Hairston, 22.

Governor John S. Battle revealed that he has received hundreds of letters, including messages from Communist China and from behind the "Iron Curtain," condemning the executions.

Following the executions of the first four of the Martinsville Seven on Friday, the NAACP made an appeal to Governor John S. Battle for executive clemency for the remaining three men.

Walter White, executive secretary of the NAACP, warned the governor that these executions would be "exploited throughout the Orient and Africa as another demonstration of American color prejudice."

FOR NEGROES ONLY

"The execution this morning of four of the Martinsville Seven for a crime for which no white man in Virginia has ever paid the extreme penalty graphically exposes the inequality of sentences imposed upon Negro and white defendants," Mr. White said in a wire to the governor.

"Already this mass execution is being exploited throughout the Orient and Africa as another demonstration of American color prejudice. There is yet time to commute the death sentences imposed upon the remaining three men. I urge you to exercise this executive clemency not only as an act of mercy, but also in the interest of national security at a time when our country desperately needs the understanding and support of non-white nations throughout the world."

Unable to fly because of poor weather conditions, NAACP lawyers, in last minute efforts to save the lives of the men, drove frantically over the dangerously icy roads of Virginia, trying vainly to contact a federal judge who would grant a stay of execution. They went to Charlotte, N. C. to see Judge John J. Parker of the Circuit Court of Appeals and to Washington to see Chief Justice Fred M. Vinson of the United States Supreme Court. Meanwhile other NAACP lawyers appealed directly to Governor Battle for commutation of the sentences.

MAKE FINAL PLEA

Shortly before midnight Thursday, Attorneys Martin A. Martin, S. W. Tucker and Frank Reeves placed a final plea before Chief Justice Vinson. The chief justice rejected the [illegible] on the grounds that the Supreme Court had twice refused to review the case. Earlier in the day, Judges Parker, Dobie, and Soper of the U. S. Fourth Circuit Court of Appeals had individually turned down appeals submitted to them by Martin and Tucker.

In Richmond, the appeals made by Attorneys Oliver W. Hill and Spottswood W. Robinson III were likewise rejected by Governor Battle. After their various pleas had been rejected, the attorneys stated that the NAACP had exhausted every possible legal and non-legal step to save the lives of these men, without success. They indicated that they knew of no further possible action that could be taken.

Four Die First

By ALICE A. DUNNIGAN

RICHMOND, Va. — (ANP) — Four members of the Martinsville Seven, Negroes convicted and sentenced to death for the rape of a white married woman, Mrs. Ruby Stroud Floyd two years ago, died here in the electric chair, Friday morning.

27e(2)

Electrocuted in the mass execution which also added one white man were:

Joe Henry Hampton, 20, Howard Lee Hairston, 19, Booker T. Millner, 20, and Frank Hairston Jr., 19.

Va

Also dying in the chair was a white man, George Hailey, found guilty of raping then murdering a white girl, Marian Lloud, 14.

Death came to the first four of the Martinsville Seven despite picketing of the nation's Capitol in Washington, D. C.—picketing which continued even after the execution. Picketers which included everything from Communists to ministers declared that they would hold a "watch" on the Capitol steps until the last three Negro men were electrocuted.

Put to death Monday morning, Feb. 5, were Francis DesSales Grayson, 38; James L. Hairston, 23, and Claborn Taylor, 22.

Delegations of several hundred headed by Shirley Graham and actor John Randolph visiting President Truman, and of 500 to Gov. John S. Battle of Virginia during the past week failed to save the doomed men.

Gov. Battle said he would not grant a stay because the men had been tried by an impartial jury and found guilty, therefore were penalized to death.

President Truman did not speak to the D. C. delegation, but he left a prepared statement with White Guards at the entrance to the lawn.

[illegible] snow and cold weather, delegates maintained 24 hour watches in picket lines for the boys. They also visited congressmen, sent wires, and held mass meetings. They maintained a two-day picket line around the White House.

Among personalities sending telegrams in behalf of the doomed men were:

Call 2-9-51

The Rev. W. H. Jernagin, advisor, Federal Council of Negro Churches in America; the Rev. A. F. Elmes, pastor, Peoples Congregation church; Mrs. Mary Church Terrell, civic leader; Judge William C. Hueston, grand secretary of the Elks; playwright Marc Connelly, actors William Marshall, Ossie Davis, William Dillard, and several more members of the "Green Pastures" cast, and numerous others.

The Martinsville Seven originally came to trial in January, 1949. They were found guilty and sentenced to death for rape of a white woman, 32 years old.

Since then, numerous attorneys have worked to save them for the past two years. The U. S. Supreme court twice refused to hear their case, and Virginia courts have consistently unheld their conviction.

One point cited in the case was that no white man had even been sentenced to death in Virginia for rape although 44 colored men had been doomed to die.

27e(2)

Call

To many people in Martinsville, the death of the seven boys will be considered a tragedy. This town has no place for recreation for Negroes. The town itself is half-white, with half the Negroes named Hairston—after Watt Hairston and his clan who ruled the town when it was a mere commissary for his slaves.

Va

James and Howard Hairston were brothers. They had lived with an aunt since their mother died 18 years ago. Frank Hairston, who was no relation to them, helped his father keep up their home. Millner tried to enlist in the army before the fatal night of Jan. 8, but was rejected.

Taylor lived with his widowed mother. His father died when he was seven years old. He helped his mother take care of his six sisters and brothers. Young Hampton was a motherless boy. His father and brother live alone on a farm. Finally, Grayson—he was not a boy; he was the father of five children.

The woman, who the boys were alleged to have raped, sells second-hand clothes on the railroad track not far from their homes. It is reported she said, "You are a good looking bunch of boys," and suggested that she needed money to pay her clothing account.

Martinsville Case Haunts Oliver Hill

3-3-51

27e(2)

Va

RICHMOND, Va. — Atty. Oliver W. Hill's defense of the Martinsville Seven may keep him from being elected to the Richmond City Council to fill a vacancy brought about by the resignation of one member.

Council members will elect the new law maker but some said they are inclined to vote against Hill because he was one of the attorneys employed by the NAACP to defend the seven men, executed in early February on rape charges.

Atty. Hill is a former Richmond councilman who was defeated in his bid for re-election by [illegible]

Dismiss Rape Charge Against Four Youths

RICHMOND, Va. — Charges of raping a white woman that had been filed against four Negro boys were dismissed last week by Juvenile Court Judge J. H. Montgomery.

The judge said the charges were dismissed at the request of the 25-year-old woman, who said she could not identify any of them.

27e(2)

Doomed Brothers' Funeral 'Saddest'

Afro-American

MARTINSVILLE, Va. — A dark grey cloud hung over this little mountain town last week as the bodies of two of the "Martinsville Seven," brothers were carried into the little East Martinsville Baptist Church where the last rites were held. It was one of the sadest funerals in Martinsville history.

Convicted along with five others of criminally attacking a local white woman, the "two" brothers Howard L. and James L. Hairston were electrocuted on Feb. 2 and Feb. 5, respectively. The funeral of Howard was postponed until the body of James arrived.

One by one, relatives, friends and just plain folk, walked meekly into the little white church that was filled to capacity. Outside, hundreds milled around, some having come from afar to pay their last respects to the [illegible] brothers.

Boys Never Had a Chance

It wasn't easy to strike up a conversation with any one, because back in Richmond lay the body of Francis D. Grayson in a morgue, yet to be buried.

"We are mourning a mass execution," one member of the little church said. With tears streaming down his cheeks he continued: "These boys whose bodies lay in the church never had a chance . . . never had a chance in society . . . never had a chance in the court."

The reference to the court grew out of a disagreement here by some who claim that leaders are said to have contended, before the trials were held, that the "seven could get as fair a trial here as anywhere."

This, some claim, might have been the difference between the death penalty and life imprisonment. It is public knowledge here that the rank and file of colored citizens wanted the trials held elsewhere.

Babies When Father Died

The Hairston brothers' father died when they were babies. They were put in custody of a relative who did the best she could for them. But for the most part, they were on their own.

But what is in the minds of most citizens here is what provision [illegible] the family of the fallen Francis D. Grayson will receive.

You can buy people here for 10 cents [illegible] who were not in sympathy with the march on Richmond and Washington in the men's behalf.

They feel that were it not for this act, chances are ten to one that the men would have gotten life. That is a question that citizens here will be trying to answer for generations to come.

Dr. D. Q. Baldwin, prominent physician here, made a hurried trip to Richmond just before the mass execution, to confer with Governor Battle in the "seven's" behalf. This conference, I am told, was urged by citizens of both races.

Sad Place

Martinsville, now is a sad place . . . a place where one would rather not be. People are standing around on every corner in little groups. You don't have to wonder what they are talking about, for the most part, they are not talking about any thing, they are just wondering, wondering by what yardstick the white man measures justice.

The kind of justice that is imposed upon one of two groups of people living in the same society . . . a justice that, since 1908 has claimed the death penalty for 48 colored men, and a crime for which no white man has ever paid with his life.

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4 of 7 Negroes In Martinsville Case Executed

[illegible]

Plea Denied by Vinson; No Prison Demonstration; 3 Face 'Chair' Monday

2-3-51

RICHMOND, Va., Feb. 2 (AP).—Four of seven Martinsville Negroes, denied an eleventh-hour stay by the Chief Justice of the United States, were electrocuted in the old state penitentiary here today for the rape of a white woman. Three others are to die Monday.

There was no demonstration at the prison although mass meetings and prayer vigils have been held in Richmond during the last week while attorneys made frantic legal efforts to gain a stay of execution or to obtain clemency.

The four paid with their lives for the mass assault on Mrs. Ruby Stroud Floyd two years ago in a "shanty town" section of Martinsville. The electrocution of the four required exactly one hour.

First to die was Joe Henry Hampton, twenty-two, who was strapped in the chair at 8:05 a. m. and pronounced dead seven minutes later. Then at fifteen minute intervals, Howard Lee Hairston twenty-one; Booker T. Millner, twenty-two, and Frank Hairston jr., twenty-one were executed. The last was pronounced dead at 9:05 a. m.

Executed with the four and the first to die was George Thomas Hailey, a twenty-seven-year-old Halifax County white man, sentenced for murder in the rape slaying of Marian Lloyd, a fourteen-year-old school girl.

Others Scheduled to Die

The other three Martinsville men scheduled to die Monday are Francis Desales Grayson, forty; John Clabon Taylor, twenty-four, and James Hairston, twenty-three.

James Hairston is a brother of Howard Lee Hairston. Frank Hairston jr., is a distant relative of the two.

The men went quietly to the chair, comforted by spiritual advisers, unaware of the last-minute efforts to save their lives.

They had not been told of the appeals to Gov. John S. Battle, and the hurried round of court pleas in the last few days. So they did not hold out any particular hope to the end, guards said.

Frank Hairston, the last to be electrocuted, was the forty-ninth Negro to die in the same electric chair for rape since 1908 when the chair was installed.

Outside the 150-year-old prison the weather was bitter cold when the time for the executions arrived. A few symphatizers or just curious gathered in small groups outside, but as the morning wore on they wandered off.

A separate panel of twelve witnesses saw Hailey and the other four die—the largest mass execution in Virginia prison records.

The executions wound up a case which has echoed around the world. The sentences were assailed as an example of racial discrimination since no white man had been executed for rape in Virginia—at least since 1908.

10,00 Messages Poured In

But the men who died today and their three companions who face the same fate Monday had not asserted they were innocent. And their attorneys based all their appeal efforts on the discrimination charge, not that the men were innocent.

More than 10,000 communications urging pardon or clemency for the "Martinsville Seven" came into the Governor's office in the last year. Recently the Civil Rights Congress has been co-sponsor in a national "Committee To Save the Martinsville Seven," and with interest thus aroused hundreds of delegates met in Richmond this week to urge intervention by the Governor or the courts.

The courts of Virginia and the Federal courts repeatedly declined to intervene. The United States Supreme Court rejected an appeal twice, and only last night attorneys were closeted with Chief Justice Fred M. Vinson at Washington for several hours. It was 1:30 this morning when the announcement was made that he would not intervene.

In Washington, Adele Russel, of New York City, a member of the White House vigil to save the "Martinsville Seven," disclosed in a statement that President Truman "made it known yesterday to an emergency council of the vigil that he would see no one and speak to no one on the "Martinsville Seven."

She said the vigil committee was continuing through the night to telephone the White House and send telegrams to Mr. Truman, requesting to see him to present a clemency plea. Pickets from the vigil committee, she said, would continue to march in front of Blair House at least until Monday.

The White House vigil is sponsored by the New York Council of the Arts, Sciences and Professio

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Va. Rapist Is Given 18 Years

27e(2)

Va

FARMVILLE, Va. — A jury convicted a 29-year-old white man, Wayne Ben Price, of attempting to rape a 12-year-old Negro girl and fixed his punishment at eighteen years in the state penitentiary.

The jury, made up of nine whites and three Negroes, deliberated just thirty minutes before returning its verdict on Nov. 2.

Courier

The assault on the girl was made last May 26. After his arrest, Price was sent to Southwestern State Hospital at Marion and kept there three months [illegible] observation, but was declared sane and responsible for his acts.

8293

7 Colored to Die; 1 White Reprieve

Afro-American

27e(2)

MARTINSVILLE, Va. — While the Martinsville Seven are moving closer to the electric chair, another Martinsville man, this one white, has had his criminal assault case postponed again.

He is Vernon Frith, 21-year-old service station attendant who was indicted in October on charges of criminally assaulting a 26-year-old colored mother of five children near here last Sept. 8.

Frith has been free under $10,000 bond since that time.

Their Case Rushed Through

Action in the case is a sharp contrast to that given the seven young Martinsville men, several of them fathers, accused of assaulting a white woman, who incidentally never positively identified them.

In the Martinsville Seven case, a grand jury was called hurriedly, the men were indicted and condemned to death after speedy trials.

Twice appeals on their behalf were made by Martin A. Martin and S. W. Tucker, Richmond attorneys, to the United States Supreme Court. Twice the highest tribunal has refused to intercede, the second rejection of the case coming on Jan. 2. The first time was in June, 1949.

Still Hoping to Save Them

In a last - ditch effort to save the lives of the men, the attorneys are planning to file a petition for a writ of habeas corpus in the Federal District Court in Richmond.

The petition, similar to one filed in Richmond's Hustings Court last summer, will contend that the men are the victims of a systematic discrimination which imposes unequal sentences upon colored men convicted of assault.

It will state that only colored men have been executed upon conviction of the crime.

The men, whose executions had been stayed by Gov. John S. Battle pending action by the Supreme Court, are:

Joe Henry Hampton, Frank Hairston Jr., Francis Desales Grayson, John Clayborn Taylor, James Luther Hairston, Booker T. Millner and Howard Hairston.

Indict White Virginia For Rape Of Negro

MARTINSVILLE, Va. — Vernon Frith, a 21-year-old white man, was indicted here Jan. 2 by the Henry County grand jury on a charge of raping a Negro woman. He is to be tried later this month.

Frith is accused of raping the 29-year-old woman, mother of two children, on a lonely road in the northern part of Henry County, Sept. 8.

27e(2)

Frith was arrested the same day after he went to the sheriff's office and reported that a Negro woman had forced him at pistol-point to drive her car. Deputy Sheriff Rural Gusler said Frith had been drinking.

The accused man has been free on $5,000 bail since a trial justice court hearing Oct. 24, at which he was bound over to the grand jury.

By Dean Gordon B. Hancock

Between The Lines

VOTES VERSUS VIGILS

The tragic sequel to the Martinsville tragedy has been written. Seven Negroes have paid with their lives for the crime with which they were charged. When Negroes are involved in crimes against whites it is difficult to know when those Negroes have received justice in the courts. To say that Negroes generally receive justice in [illegible] for crimes against whites [illegible] to mock the frailties of hu[illegible] nature.

To say that a man can be prejudiced against Negroes all his life and for the duration of a given trial as juryman such man can be free of prejudice, is to fly into the face of the laws of social psychology. No man on earth can be prejudiced 51 weeks in a year and suddenly become unprejudiced for the duration of his duty as juryman.

Date 2-27-51

This means that Negroes who are involved in crimes against whites never get justice, in that they are never tried by an unprejudiced jury. It is almost unthinkable to imagine that any jury is composed of 12 white men who are not prejudiced. To the extent it is unthinkable to assume that on any given occasion 12 white men can be found who are prejudiced in their attitudes toward Negroes is the extent to which Negroes fail to get justice in the courts of the land.

One of the greatest tragedies of modern times is this self same situation where Negroes are often tried for their lives by a jury that is prejudiced. This writer is not here debating the guilt or innocence of the Martinsville Seven. He is merely saying that they were not tried by an unprejudiced jury, as has been the case a thouand times before throughout the South and nation. It is doubtful if any Negro has ever been convicted or exonerated by an unprejudiced jury. This legal handicap posits one of the gravest problems of jurisprudence of our times.

When a group of Negroes and whites went down to the capitol of Virginia last summer to plead for a commutation of the sentence of the Martinsville Seven the writer was among them. When the pleadings were ended by the final say a mother of one of the condemned men, we all repaired to the capitol lawn where we talked among ourselves. One of the white women expressed doubt as to whether our positions had been effective. Said she, "It looks as if the boys are doomed for their case is now in politics."

This writer took it to mean that the Byrd machne had decreed that boys must die. They died. It would now appear that the white woman knew whereof she spoke, and that she saw the gory sequel of which we write here. The [illegible] of this release is to show how limited are prayers and vigils when votes are lacking. The case of the Martinsville Seven stirred the world.

There were pressures on both sides. for a commutation and for their execution. It was a matter of pressure against pressure. Unfortunately for the boys the pressure for execution was the greater and so they were called upon to pay with their lives the penalty that Virginia laws exacted.

27e(2)

The bristling point that the NAACP able attorneys uncovered to the effect that the death sentence for rape has been reserved for Negroes only was never faced by the legal machinery of the sate and nation. It was a telling point and although it was over-ruled by the state and federal courts, it still stands out in bold relief to the discredit of Virginia and the nation. It is bound to have its effects. It was a righteous contention and as such cannot be downed.

2-24-51

On the eve of the multiple executions there were vigils and prayers but the executions went on apace. The reason? Negroes are relatively voteless in Virginia. The very fact that the execution of the Martinsville Seven was in politics is proof that the course of events might have been changed had Negroes commanded 250,000 or 300,000 votes to be cast in a given election.

A few votes would have won a commutation for the Martinsville Seven; but the votes were lacking; and so the tragic sequel to the Martinsville tragedy. It is going to be a great day in Virginia and throughout the nation when Negroes learn that votes and not vigils are the ultimate determinants of Negro destiny.

Was On Parole

Chair Death Ordered for 2-Time Raper

27e(2)

Va-

Post

CHARLOTTESVILLE, Va., July 6 (AP).—Albert William Jackson, 24, a prison parolee for a prior rape, today was sentenced to die in the electric chair for raping a white woman in a Charlottesville parking lot the night of May 5.

Date 7-7-51

Corporation Court Judge R. Watson Sadler granted a stay of execution to September [illegible] to permit Jackson's lawyers to appeal the conviction to the Virginia Supreme Court. Jackson, a Negro, was convicted by a jury of 11 whites and one Negro.

Jackson was convicted of raping a Negro woman here in 1948 and sentenced to ten years in prison, but was paroled after serving a fourth of that term.

FATHERLESS MARTINSVILLE KIDS:

Have You Given Your $$ to Help Them?

27 e 62 Va

Left to right, Jame Charles, 5; Lawrence, 6; Frank D., 7, and Barbara, 9. How you can help these fatherless Grayson children is told in accompanying sto

Should innocent children suffer because of Virgini a injustices? Should the five young Grayson children, whose father was one of the Martinsville 7 electrocuted last month be denied a real education? Don't they deserve a square deal?

Because the AFRO-AMERICAN believes that these youngsters should get a chance to know real democracy and develop into worthwhile citizens, it has established the Martinsville Aid Fund, designed to raise enough money for their education. The children, who are photographed above, range in age from 4 to 9 years.

We believe AFRO readers all over the country will want to help this cause and some of them have already responded.

How You Can Give

You can help these fatherless children too. Send your cash contributions to this newspaper, marked payable to Martinsville Aid Fund, AFRO-AMERICAN Newspaper, Baltimore 1, Md.

If you live in Washington, Richmond, Philadelphia, Newark, you can take your contribution to the AFRO offices in those towns. Here are the addresses:

Washington AFRO,
1800 Eleventh St., N.W.
Philadelphia AFRO,
427 S. Broad St.
Richmond AFRO,
301 E. Clay
New Jersey AFRO,
172 Kinney St., Newark.

May Send to Bank

You may also send checks or money orders to Walter S. Banks, president of Consolidated Banks and Trust Company, 327 N. First St., Richmond 19, Virginia, treasurer of the fund, whose bank has consented to serve as despository.

Donors Acknowledged

Donors during the week, brought the fund to a total of $130.48 as of Saturday.

They included:

Dr. Vishnur V. Oak, St. Louis, Mo.	$ 2.08
Mrs. Addie G. Hudson, St. Charles, Pa.	$ 10.00
Logan Temple AME Zion Church, Knoxville, Tenn.	$ 24.06
Edwin T. Henderson, Richmond, Va.	$ 1.50
Alvis F. Oliver, Richmond, Va.	$ 1.00
Baltimore Friends	$ 25.00
Previous Donations	
Floyd Cephas, Richmond, Va.	$ 10.00
Mrs. Blanche D. Simpson, Richmond, Va.	$ 10.000
Dr. Leonard L. Edloe, Richmond, Va.	$ 5.00
A. P. Crump, Richmond, Va.	$ 1.00
Charlie's Lunchroom, Richmond, Va.	$ 7.00
Archie's Record Shop, Richmond, Va.	$ 3.00
Charles Grant, Richmond, Va.	$ 1.00
Dr. Gregory W. Shaed, Richmond, Va.	$ 2.00
Kessler's Grocery, Richmond, Va.	$ 1.00
Robinson's Drug Store, Richmond, Va.	$ 1.00
Carroll R. Grymes, Richmond Va.	$ 1.09
Ira Howerton (King of Newsboys) Richmond, Va.	$ 1.00
Calvin Gaskins, Richmond, Va.	$1.00
Mrs. Lucille Chenault, Washington, D.C.	$ 16.75
Mr. & Mrs. Alonzo E. Walker, Chicago, Ill.	$ 5.00
James A. Wilson, Millington, Md.	$ 3.00
Grand total to date —	$130.48

Trial Set Tuesday For White Men In Warren Rape Case

Dat 3-17-51

27 e 62 Va

VICKSBURG — (U) — A hearing will be held in the Warren county court house here March 20 for James Leroy Stewart and Lonnie Leroy Bevell, Warren county white men charged with rape, kidnapping and assault with intent to kill in connection with the New Year's Eve beating of a Negro woman near Eagle Lake.

Judge [illegible] B. Anderson said the two men would be tried separately.

Prosecuting attorneys will be District Attorney T. J. Lawrence and James T. Thames, county prosecuting attorney. Defense counsel will be John [illegible] of [illegible].

In Martinsville, Too!

Rape Case Dismissed

MARTINSVILLE, Va. — A charge against Vernon Frith, [illegible], white, of raping a married Negro woman was dismissed here in Circuit Court by Judge John D. Hooker.

Dat 4-14-51

The dismissal came after both sides had presented their cases during two days.

27 e (3)

Judge Hooker said the main reason for tossing the case out of court was the testimony of Dr. John W. C[illegible], Martinsville physician, who was called to the witness stand three times.

The doctor testified the woman told him Frith did not rape her, and he said his examination failed to reveal any evidence of rape.

Frith told the court he did not rape her. The woman said he did.

Frith, a filling station attendant, had been accused of raping the 29-year-old mother of five children in a wooded section of Henry County, about fifteen miles north of here last Sept. 6.

Ex-Convict Indicted On Woman's Charge

By the Associated Press

CHARLOTTESVILLE, Va., May 24.—A corporation court grand jury indicted Albert William Jackson, jr., 24, of Charlottesville on a charge of rape.

27 e (3)

Jackson, colored, a paroled sex offender, was arrested May 6 when police said he was found attacking a brutally beaten white waitress in a midtown parking lot.

Convicted of raping a colored woman in 1948, Jackson was sentenced to 10 years in prison. He was paroled after serving two years.

HELP FATHERLESS CHILDREN:

Martinsville Fund For Children Grows

Afro American

RICHMOND — Nearly $100 cash and numerous bids for adoption of the five children of Mrs. Josephine, wife of Francis DeS Grayson, have been received to date (Feb. 24) by the Richmond AFRO-AMERICAN for the Martinsville Seven Aid Fund.

3-3-51

Grayson was one of seven men electrocuted in Virginia for criminal assault. The AFRO inaugurated the appeal fund for his wife and five young children after it was made known they were in need of financial aid.

27 e (3)

A total of $21.75 has been contributed through the Consolidated Bank and Trust Company, while $45.09 was turned in at the AFRO office at Third and Clay Sts., all of which has been given to Walter S. Banks, treasurer of the fund, for deposit in bank.

How You Can Give

You can help these fatherless children too. Send your cash contributions to this newspaper, marked Martinsville Aid Fund, AFRO-AMERICAN Newspapers, Baltimore 1, Md.

If you live in Washington, Richmond, Philadelphia, Newark, you can take your contribution to the AFRO offices in those towns. Here are the addresses.

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Philadelphia AFRO — 427 S. Broad St.
Richmond AFRO—301 E. Clay
New Jersey AFRO—172 Kinney St., Newark

All contributions will be acknowledged in these columns and all funds received will be deposited in the Consolidated Bank and Trust Co., Richmond, which has consented to serve as depository of the fund.

Additional donors not mentioned are Mr. and Mrs. Alonzo E. Walker of Chicago, and James A. Wilson of Millington, Md., who promised additional donations.

27e(2) 1951 Virginia

8294

Pittsburgh Courier 2-10-51

At

Meetir

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electrocutio

ter to the mass meeting at the Leigh Methodist Church in Richmond, Va., tile effort to save "Martinsville aring Federal District Judge Sterling Hutcheson deny a writ of habeas corpus for the doomed men, they made their plans for vigils in Capitol Square, Richmond, and the White House in Washington, D. C. Their efforts were all to no avail. They also planned to carry coffins in a White House picket line Monday.

4 of Martinsville Rapists Executed

By Morris Siegel
Post Reporter

Post

Feb. 3-51

RICHMOND, Feb. 2.—Four of the seven Martinsville, Va., Negroes convicted in the mass rape of a white woman two years ago paid with their lives in the electric chair at the State Penitentiary this morning.

The other three will be executed Monday. All seven had confessed their crime and were granted five reprieves.

As heavily armed State, city, county and military police roamed the square block of the prison area, Prison Superintendent W. Frank Smyth led 21-year-old Joe Henry Hampton to the execution chamber at 8:06 a. m. Six minutes later—and less than seven hours after Chief Justice Fred M. Vinson had rejected a last minute plea to intervene in Washington—Hampton was pronounced dead.

In order, Howard Lee Hairston, 20; Booker T. Millner, 22, and Frank Hairston, jr., 20, followed.

Each was pronounced dead approximately five minutes after entering the green-painted execution room that houses the 42-year-old Virginia electric chair. It required only 59 minutes to put the four rapists to death. The executioner was not identified.

Before the first of the rapists was killed, George T. Hailey, white rape-slayer of a 12-year-old high school girl was electrocuted. The previous high for the number of executions in the Old Dominion in one day was three.

The Associated Press said today's executions brought to 49 the number of Negroes executed for rape since 1908. No white man has been executed in the State for rape alone, the Associated Press said.

Although hundreds milled about outside the prison, there was no demonstration. Police kept the crowd moving.

On the Capitol grounds, less than a mile away from the penitentiary, about 100 men and women were conducting a vigil, which they started early last night. They prayed that the four men would be spared. They were not dispersed until 10 o'clock, 55 minutes after the last of the four was electrocuted.

In Washington other pickets marched in front of the White House as part of the left-wing protest which flooded the Governor's office with 1900 telegrams in the last 24 hours. Governor John S. Battle in rejecting clemency pleas stated that the crime was a brutal one and that the Court of Appeals did not question the guilt of men.

Starting at 6:30 a.m., when the 60 witnesses—12 for each execution—began filing past the double-doored entrance to the penitentiary, the prison switchboard was flooded with phone calls asking if the four Martinsville men had already been electrocuted.

Superintendent Smyth, who saw all five men electrocuted, said he had been swamped for requests from persons throughout the State who wished to be witnesses at the execution of the "Martinsville Seven," as they have come to be known. The witnesses were selected from a long list of applications. Many of them were from the Martinsville area where the 32-year-old woman was subjected to the mass attack. She is now under treatment in another Steta. She was attacked on her way to collect for some clothes she had sold.

27e(2)

Smyth said the execution of the four rapists was "quiet and orderly." None denied his guilt and none had a last statement to make, he added.

Order Arranged

The order of electrocution, Smyth explained, was made to follow the order of the seven's sentencing. The first to be sentenced, Hampton, was the first to die.

There were practically no signs of the grimness of the occasion in the small room where the 60 witnesses were herded. They talked of many things, but none spoke of the executions. Later, as their names were called, many of the men, their bravado or morbid curiosity escaping them, nervously listened to Superintendent Smyth read their instructions.

Then, in twos, they were led through another double iron door, into the prison courtyard, and then to the execution chambers. A number who had appeared unconcerned were sallow and sweating when they came out, about five minutes later.

Smyth Relieved

Between executions, Smyth came in to the hastily rigged up press room and in a quiet tone, said: "Hampton at 8:12. Hairston at 8:32. Millner at 9:49. Frank Hairston at 9:05."

After the fifth execution, Smyth returned to the press room, fingered his glasses nervously, took off his coat and said:

"Thank God it's over for the day. This could have been bad, real bad, but thank God, nothing happened. It is orderly and quiet."

A few minutes later, the police patrols around the building ended. Guards, with shotguns trooped through the doors and returned their weapons to the prison armory.

At 10 o'clock, prison business was being conducted as usual.

At noon, two hearses from a Martinsville funeral home took the bodies to Martinsville for burial.

Scheduled to die Monday are Francis Grayson, 40; John C. Taylor, 24, and James Hairston, 23, a brother of Howard Hairston.

The same two hearses will return Monday.

Four Martinsville Rapists Executed; 3 Others Monday

The State of Virginia yesterday put to death four of seven Martinsville Negroes for the rape of a 32-year-old white woman two years ago.

The other three are scheduled for electrocution Monday. Yesterday's executions in Richmond came after drawn-out court appeals, rehearings and last-minute petitions by left-wing groups to Gov. John S. Battle, Chief Justice Fred M. Vinson and President Truman.

Four Negroes Are Executed

RICHMOND, VA., Feb. 2—(AP)—The first four of seven Martinsville Negroes condemned for the orgy-rape of a white woman were electrocuted here Friday and a clamor for clemency continued for three others who are to die Monday.

In an atmosphere of guarded quiet the Negroes were put to death in the even space of an hour. Immediately before they died a white man went to the chair for murder in the rape-slaying of a white school girl.

Eleventh hour efforts for the Martinsville men failed to halt the largest multiple electrocution in Virginia. Their counsel, turned down finally and definitely by Governor John S. Battle Thursday, rushed to Washington for a [illegible] plea to Chief Justice Fred M. Vinson:

Vinson refused to intervene.

The execution adhered rigidly to schedule.

The white man, George Thomas Hailey, 27, of Halifax County, Va., was the first to go. It took only six or seven minutes.

Then at 15 minute intervals the four Negroes died for their abuse two years ago of Mrs. Ruby Stroud Floyd, 32, wife of a Martinsville department store manager, in a "shanty town" sector of Martinsville. They were:

Joe Henry Hampton, 22; Howard Lee Hairston, 21; Booker T. Millner, 22, and Frank L. Hairston, 21.

To die Monday are their three companions, Franci's Desales Grayson, 40; John Clabon Taylor, 24, and James Hairston, 23, a brother of Howard Hairston.

Swanson Makes Debut In Court

27c(3)

CHARLOTTESVILLE, Va. — The Charlottesville Corporation court got its first inkling of how the University of Virginia's first Negro student operates last week when Atty. Gregory Swanson appeared in court in behalf of William Jackson, 24, accused of raping a white woman here early this month.

The graduate law student has practiced before the Martinsville and Danville courts and said he didn't intend [illegible] regular work in Charlottesville.

White Man Held For Rape Of Girl, 12, In Farmville

27c(2)

FARMVILLE, Va. — Wayne Pace, of Farmville, 29-year-old married white man and father of two children, was arrested Saturday night and charged with rape of a 12-year-old Negro girl.

Va

Journal and Guide

He was being held in the Prince Edward county jail without bail.

According to statements of the victim and parents, a white man who gave his name as Johnson, came to their home in Farmville seeking a baby sitter for his three and four-year-old children for the evening while he and his wife were to attend a movie. The mother said she was unavailable for baby sitting that evening but decided the two girls, ages 12 and 10 respectively, could sit.

* * *

THE MAN DROVE approximately four miles east of Farmville where the alleged assault and rape took place. When he drove into the woods, the girls got out and ran. The older girl stumbled and fell and was caught while the younger sister escaped and went to a nearby house where her relatives were contacted. They took her back to town.

While investigations were being made the attacker returned the other girl to her home where she reported the assault.

She furnished officers with a license number of the car. The victims live with their mother, who has two other younger children.

* * *

COMMONWEALTH'S Attorney Frank Nat Watkins has requested an early trial.

Accused Farmville Attacker Indicted

Afro-American 27c(2)

FARMVILLE, Va.—Wayne Pace, 29-year-old white man, was indicted by the grand jury, Monday, on two criminal attack counts involving a 12-year-old girl. One was attacked with force, the other statutory, since the victim was a child.

He allegedly attacked the girl in the woods near the Poor House Farm, some four miles outside of town. According to the child's mother, the girl and her 10-year-old sister left to baby sit for Pace.

Instead, the mother said, her daughters were taken to the woods and the oldest girl was attacked when she stumbled and fell as they ran from their attacker.

The case has reportedly received keen attention from the 3,000-odd residents of this little town, since it came at a time when the NAACP has filed suit for integrated schools there.

Commonwealth's Attorney Frank N. Watkins said, Monday that under either of the charges, Pace can be convicted of attempting to criminally attack the girl, which carries the same punishment as that for the actual commission of the act.

Va

8295

Last Of Martinsville 'Seven' March Calmly To Their Death

27e(2) Va

RICHMOND, Va. — (INS) The last three members of the now famed "Martinsville Seven" quietly met death in the Richmond electric chair Monday in the finale of a case that has drawn international attention.

[illegible]

Extra guards were posted around the prison walls in anticipation of a possible "protest" gathering.

Only a few persons were present, however, to stare through the prison gates as the men walked to the death chamber.

2-6-51

The executions of the last trio began at 7:30 a. m.

John Claborn Taylor, 24, was first to enter the death house. He was pronounced dead eleven minutes later. James Luther Hairston 22, and Francis DeSales Grayson, 39, followed him in that order.

[illegible]

The three men and their four companions who were put to death Friday were sentenced on conviction of raping a 32 year old Martinsville, Va., white woman two years ago.

Some 400 delegates to a mass protest meeting streamed into Virginia's capital city last Tuesday to ask that the sentences be reduced from the death penalty.

PICKET WHITE HOUSE

After the four executions on Friday nearly 300 persons picketed the white house in Washington, and called upon President Truman to intervene in the last three electrocutions.

The Richmond meeting was sponsored by the Civil Rights congress. This organization earlier was described as a subversive group by the U. S. attorney general.

Gov. John S. Battle spurned the appeal in behalf of Frank Harriston Jr., Booker T. Millner Joe Henry Hampton and Lee Hairston who were sent to death Friday.

The governor declared the facts in the case which he described as a "brutal attack," warranted only death.

In upholding the executions, Gov. Battle also disclosed that he had received hundreds of letters pleading for his intercession. Some of the letters, according to the Governor, came from communist China and "from behind the iron curtain."

Protests against electrocution of the "Martinsville Seven" continued, however, until the last hour Monday morning when the few spectators still demonstrating before the State Capitol read from the Bible as the execution hour neared.

The Governor's office reported that a few telegrams, urging commutation of the sentences, were received even after the men had been electrocuted.

A group of demonstrators staged a final organized protest Sunday when they marched around the state house grounds, wearing black arm bands and carrying funeral wreaths in what they proclaimed to be a "vigil of prayer."

Demonstration Slated For Negro Rapists

27e(2) Va

RICHMOND, VA., Feb. 3—(U.P.)—Demonstrators planned Saturday to carry the fight to save the surviving three Negroes of the "Martinsville Seven" to President Truman's door Sunday with a coffin march on the White House.

[illegible]

A spokesman for the Civil Rights Congress, which has a subversive label on the U. S. attorney general's list, said a procession bearing four coffins will proceed to the White House.

Each coffin will bear the name of one of the four Negroes put to death in the Virginia electric chair Friday in the most publicized rape case since Alabama prosecuted the nine "Scottsboro Boys."

Pleas To Save Last 3 Of 7 Rapists Ignored

By The Associated Press

A relentless drumfire of protests fell on deaf ears last night in behalf of the last three of the "Martinsville Seven" slated to die today in Virginia's electric chair.

27e(2) Va

There was no indication that a last-minute campaign of picketing and "prayer vigils" would have any effect in delaying the scheduled execution of Francis D. Grayson, John Claborn Taylor, and James Luther Hairston.

Courier Journal

Four of the seven Negroes—convicted of the mass rape of a white woman in Martinsville, Va., more than two years ago—were executed Friday at the end of a drawn-out legal battle that failed.

Mon.

2-5-51

Activity In Two Cities

There was activity today in Richmond, Va., and in Washington on behalf of the three survivors. Pickets continued their march in front of the White House, while other protesters staged a march on the State Capitol in Richmond and laid wreaths in the Capitol Square, where a prayer vigil was being held.

[illegible]

After trying unsuccessfully Saturday to see Virginia's Governor John S. Battle, Grayson's wife and five children yesterday attempted to petition President Truman and Vice-President Barkley. They failed there, too.

The woman and her children then participated in the picketing in front of the White House, carried out by a group that called itself "The White House Vigil To Save The Martinsville Seven."

A scheduled mass meeting in Washington was called off because of what the group termed "intense Government pressure against the Negro people of Washington and against any American who dares to raise his voice in behalf of justice, equality, and brotherhood."

Battle remained in the Executive Mansion in Richmond and was not available for comment on the protests and on the letters and wires that were piling up in local communications centers, probably not to be delivered until this morning.

Campaign Denounced

The Governor apparently had his last say on the case Thursday when he turned down an appeal for a stay of execution for the seven men, denied appeals twice each by the Virginia and United States Supreme Courts.

After a similar denial of a stay by U. S. Chief Justice Fred M. Vinson, four of the men—Booker T. Millner, Joe Henry Hampton, Howard Lee Hairston, and Frank L. Hairston—died Friday. They were buried yesterday in Martinsville.

Justice: Va. Style

27e(2) Va

The seven men who paid with their lives in Virginia's electric chair surely turned in their graves at the latest turn in Martinsville affairs.

The fact that the same judge, John Dillard Hooker, who sentenced them to death, could with a straight face blandly free another man accused of the same crime, forms a shocking example of how Virginia has stripped the blindfold from the eyes of Justice.

[illegible]

The evidence against Vernon Frith, a white man, was far more conclusive than it was against the seven men put to death on the questionable word of a woman of admittedly poor mental health.

The whole sordid mess bears mute testimony to the truth of the charge made by counsel for the Martinsville Seven — that in Virginia the race of the victim does make a difference and that punishment for rape is reserved only for those with dark skins.

Last Three Of 'Martinsville Seven' Die In Chair

RICHMOND, VA., Feb. 5—(AP)—Three men shuffled down Death Row corridor to the electric chair in the Virginia State Penitentiary Monday in the final act of the case of the "Martinsville Seven."

Montgomery Advertiser

In identical fashion to their four companions executed Friday, they paid with their lives for the mass rape two years ago of Mrs. Ruby Stroud Floyd, 32, a white Martinsville, Va., woman.

27e(2)

The executioner required 45 minutes to accomplish what attorneys in dramatic eleventh hour appeals had sought to stop. They made an unsuccessful plea to a U. S. Supreme Court Justice Friday for the first four condemned Negro men. Another futile bid was made Sunday night.

2-5-51 Va

Between 7:30 and 8:15 a.m. these men went to the chair:

John Clabon Taylor, 24, James Luther Hairston, 23, and Francis DeSales Grayson, 40.

There was No demonstration near the prison by the hundreds of sympathizers who flocked to the city last week to seek clemency for the seven. The scene was almost a duplicate of Friday morning's grim business.

Martinsville "7" Lose Last Plea

Daily Worker

RICHMOND, Va.—(INS)— Gov. John Battle told a delegation of more than 350 Tuesday that he will give no reprieve, executive clemency nor stay of execution to seven Martinsville, Va., Negroes sentenced to die within the next week for raping a white woman.

27e(2)

And another escape for the seven was blocked late today when federal judge Sterling Hutcheson refused to intervene in the case. The national Association for the Advancement of Colored People had sought a writ of habeas corpus on a petition alleging the men were denied equal protection of the law.

Va

The delegation which called on the governor was sponsored by the civil rights congress, whose spokesmen said that members of the organization began picketing the White House in Washington this afternoon in a "vigil" protesting the convictions.

1-31-51

Seven members of the delegation who were admitted to the governor's office protested that the Martinsville men were convicted by all-white juries and declared the 1947 trials of four hours duration were operated like an "assembly line."

Gov. Battle denied the charges, pointing out that Negroes were on the grand jury which indicted the doomed men. Battle said:

"They've had six trials. Seventy-two jurors have thought them guilty of the most atrocious crime ever committed in the United States.

"There cannot be any escape from their guilt. Talk about a pardon is out of the question."

Wed. Jan 31-51

The delegation also protested the "strange disappearance" of the woman who was assaulted, but the governor said she is now in a hospital in West Virginia.

After the discussion, the Rev. Amos Murphy of Lawrence, Mass., commented:

"If these men die," those reponsible for the execution will live in infamy.

"My conviction is confirmed that the court record won't stand up under the scrutiny of the people of the United States and the world. The deliberate hiding of the woman who claimed she was raped will even less stand scrutiny."

Four of the convicted men—Joe Henry Hampton, Frank Hairston, Jr., Booker T. Miller and Howard Hairston—are to be executed Friday. Execution is scheduled Monday [illegible] John Clabon Taylor and James Luther Hairston.

Executions Close 2-Year Court Fight

RICHMOND, Va. — The Martinsville Seven are dead. As the last of the seven men, convicted of raping a 32-year-old Martinsville white woman, paid the supreme penalty, the State of Virginia chalked up its 52nd electrocution of a Negro for rape.

Not a single white man has died for this crime since the State installed the electric chair in 1908.

It was on this point that the NAACP Attorneys Martin A. Martin, Oliver W. Hill and Spottswood Robinson, III, fought a vain two year battle to save the lives of the men. Twice the battery of attorneys received set-backs from the highest tribunal in the land — the U. S. Supreme Court.

Attorneys did not argue the guilt or innocence of the Martinsville seven. Each had confessed the crime. The lawyers sought to prove that a conspiracy exists in the state of Virginia to reserve the death penalty for Negroes convicted of rape. They cited the record to no avail.

Va

Four of the seven were electrocuted Saturday morning. They were:

Joe Henry Hampton, 21.
Howard Lee Hairston, 20.
Booker T. Millner, 22.
Frank Hairston, Jr., 20.

Electrocuted Monday morning were:

James Hairston, 21.
John C. Taylor, 22.
Francis DeSales Grayson, 36.

Last Minute Appeals

Last minute appeals to high government officials to save the doomed men failed. Virginia's Gov. John Battle refused to act.

In rapid succession Federal Circuit Judge Armstead M. Dobie of Charlottesville, Va.; Senior Circuit Judge John J. Parker of Charlotte, S. C., and Chief Justice Fred M. Vinson of the U. S. Supreme Court refused to issue certificates which would have stayed the executions.

It was on the first day of 1949 that Mrs. Ruby Stroud Floyd went into the Negro section of Martinsville to collect some money for her husband, a merchant. She testified that four of the men attacked her and called the other three to join them.

They were convicted and sentenced to die after separate hearings before all white juries at a trial-a-day pace.

Red Intervention

Though he insisted it was not true, observers said the obvious intervention of Communist and communist-front organizations was partly responsible for Gov. Battle's and other official's refusal to commute the death sentences.

Battle declared that the wave of messages which flooded his desk was "co-sponsored" by the Civil Rights Congress and the Communist Daily Worker. The Congress has been placed on the U. S Attorney General's subversive list.

Battle said:

"The propaganda emanating from these sources bears no semblance of truth and is designed for no other purpose than to forment ill feeling between the races and to mislead those who have no knowledge of the true fact of these cases.

"I feel I would be derelict in my duty if I did not brand this great mass of propaganda as utterly false. I deplore these slanderous statements, but I can sincerely say they have had no bearing on my decision in these cases."

On The Colonial Front

THE BIG MARTINSVILLE MISTAKE

By A. J. SIGGINS,
British Journalist

LONDON. — (ANP) — One frequently is compelled to wonder whether or not leaders of colorphobic areas of the world such as Virginia and other southern states in the United States, South and East Africa and Australia have heard that colored people can now read and write, listen to the radio and are civilized.

27e(2)

We in England are now reading the Negroes' version of the alleged Martinsville Seven rape of white Mrs. Ruby Stroud. Frankly, we do not believe the boys were guilty of rape at all.

Va

To which the U. S. A. might answer, "So What!"

Today, on the world front, two mighty blocs, the U. S. A. and the U. S. S. R. are seeking allies. War may be coming, and both the winner and the loser will be losers.

After the war the weary peoples of the world will need peace. To enjoy this peace they must be assured of security under a rule of law and order. They must know that the nation holding the power will dispense justice.

3-2-51

What colored person in the world today who has read of the Martinsville Negroes can feel confident of getting justice from an American tribunal?

A Boner By South Africa

South Africa is just beginning to feel the effects of one of its biggest boners of recent days—that of refusing to guarantee equality of treatment and refusing to give entry permits to all delegates regardless of race and color to a planned medical conference.

The British Medical association has taken a stand that it will not attend the meeting, sponsored by the South African association, under such conditions. The meeting is slated for Johannesburg in July.

The latest development in this issue has been a statement by the South African Medical Journal deploring the "virtual cultural and scientific isolation" imposed on South Africa by the color bar situation.

The question posed by the Journal is this:

Does the South African government intend to consider all colored people, however, great their services and contributions to makind, unfit to visit South Africa?

Throughout the world thousands of colored people are eminent scientists, medical men and women, scholars, artists, engineers, and specialists at the very top of their chosen professions. They are contributing in various ways to the sum total of human knowledge.

In serving mankind, they are also helping South Africa. It would seem that service to mankind should take precedence over petty national prejudices.

The tragedy of the whole situation is that some 9.000,000 colored people in South Africa are denied world services because of the idiotic prejudices of a comparatively few white people who have so far contributed nothing of any spiritual, cultural or moral value to mankind.

This nation's basic mistake is in thinking that 2,225,000 whites and near-whites can stay the tides of human progress. Every colored adult who earns a university degree, every colored child who learns to read and write, every colored person who can work or fight will help to overcome these small persons who seek to ban knowledge and skill from their range.

Africans Will Think Twice Before taking up arms for great Britain

The arming of 374,000 Africans to fight for Great Britian in case of war was suggested here recently by C. J. M. Alport, Tory member of parliament, in an article in the London Evening Standard.

"British forces in East and West Africa grew from 19,000 in 1939 to 374,000 in 1945. This massive expansion was carried out with a tiny cadre of experienced European officers and regular African noncoms.

"There is no reason why they should not today assume the responsibility for the defense of the Canal Zone... Aden .. Indian ocean islands experimentally in Malaya. Many are experienced jungle fighters."

This is sample of the mind of an Englishmen who is thinking how he can save his own skin and property. He gives not a thought for the Africans' skins or properties.

Africans do not need guns and war training to protect themselves. They need schools hospital and medical service, and other services badly.

Because of disease, millions of African children die before they are six years old. This and other evils could be prevented if proper services were established.

Missions have done most of the teaching in Africa, but illiteracy still is very high.

What Alport should do is visit the various African colonies and talk with the native leaders. See what the Africans want. Find out what they think of the treatment they are getting. This should include South Africa, too.

Millions of Africans have no land, and they have no vote. How can they assume the responsibility for the defense of the Middle East if they cannot have a voice in their own native land?

27f 1951

8296

South Carolina House Approves Anti-Lynch Bill

27f

Advertiser

Montgomery, Ala.

3-15-51

COLUMBIA, S. C., March 14—(AP)—A South Carolina House of Representatives majority whipped through an anti-lynching bill Wednesday.

The measure, which defines lynching and proposes stiff penalties for it, gained a decisive second reading on a 51-34 vote.

Rep. Hollings of Charleston, author of the anti-lynching bill, told the House that "it seemed proper that, with so much agitation in Washington, we should take action in line with the states' rights theory."

He referred to proposals for a federal anti-lynching law, which Southern States oppose on the ground that it would be a violation of states' rights.

Under his bill, "first degree" lynching would be mob action resulting fatally. The punishment would be the death sentence except in cases in which juries recommended mercy, which would mean five to 40 years' imprisonment.

"Second degree" lynching would be the non-fatal kind. It would be punishable by sentences ranging from three to 20 years.

Florida Bill Proposes Death For Mob Members

27f

Advertiser

TALLAHASSEE, FLA., April 18—(AP)—A bill which would allow anyone who participated in a fatal lynching to be put to death was proposed in the Florida Legislature Wednesday by Representative Akridge of Brevard.

The bill, which would be known as the "Florida Anti-Mob and Lynching Act," describes a lynch mob as a "collection of two or more persons assembled without authority of law for the purpose and with the intention of committing an assault and battery upon any person or who shall form the intention of committing an assault and battery after so assembling up on any person."

4-19-51

Montgomery, Ala.

Any mob action which resulted in the victim's death would be first degree lynching. Each member of the mob could be put to death. The minimum punishment would be five years imprisonment.

Members of mobs which injured victims but did not kill them would be guilty of second degree lynching and could be punished by a maximum of 10 years imprisonment.

Prosecuting attorneys in counties where lynchings took place would be required to get to work on the cases "promptly and diligently to the end that such offenders may not escape punishment."

27f 1951

8297

ANTI-LYNCHING BILL INTRODUCED IN CONG.

WASHINGTON, D. C.—(NNPA)—The 571 public bills introduced on the opening day of the 82nd Congress included two anti-lynching, two anti-poll tax, and one fair employment practice measure.

Representative Emanuel Celler, Democrat, of New York, introduced an anti-lynching bill and also an omnibus civil bills. These measures were identical with ones sponsored by the Administration in the 81st Congress. The omnibus civil rights bills were designed to carry out certain recommendations of President Truman's civil rights committee.

Representative Edith Nourse Rogers, Republican, of Massachusetts, introduced a bill providing for the establishment of an all-colored veterans hospital at the birthplace of Booker T. Washington in Franklin County, Virginia. This measure is identical with one offered in the 81st Congress, which was opposed by various organizations.

Representative Errett P. Scrivner, Republican, of Kansas, introduced an anti-poll tax bill.

Representative Adam C. Powell, Democrat, of New York, introduced the following measures:

A bill to amend the Interstate Commerce Act so as to prohibit race segregation in interstate travel.

A bill to prohibit race segregation in the armed forces.

A civil bill for the District of Columbia.

An anti-lynching bill.

A bill relating to the status of certain natives of the Virgin Islands.

An anti-poll tax bill.

An FEPC bill.

Mr. Powell also offered a joint resolution proposing an amendment to the residents of the District of Columbia and also to give them the right to vote for President and Vice President.

27f

Anti-Lynch Laws Asked By Atty.-Gen.

27f

WASHINGTON—As has happened so often in past years, the Justice Department asked Congress this week to pass anti-lynching legislation so that the atrocity would become a Federal crime.

27f

Attorney General J. Howard McGrath is anxious to strengthen Federal enforcement of civil rights and his proposed drafts for Congress include provisions to tighten laws against peonage and slavery.

Little hope is held that the bill will ever reach the floor of the Senate for debate since the subcommittee on the judiciary to which it was referred is headed by Dixiecrat Sen. James O. Eastland of Mississippi, whose antipathy to Negroes is well known.

South Carolina Proposes Strong Anti-Lynch Bill

27f

If the South Carolina Legislature passes the anti-lynch bill, introduced in the House Thursday, every member of a lynch mob would be held to strict accountability. The bill which was intorluced Thursday with not much opportunity for debate yet, provides the death penalty for first degree lynching, which would be reduced to a prison term of from five to forty-years period on recommendation of a jury.

Lynch Bill Sets Death Penalty

COLUMBIA, S.C. — Death or imprisonment from five to 40 years is the penalty for first degree lynching as defined in a bill introduced in the South Carolina House of Representatives last week.

27f

Any mob violence resulting in a death would be first degree lynching, according to the bill. If no death results from mob action, the crime would be defined as second degree lynching, carrying a penalty of from three to 20 years in prison.

Lynch Bar Gets Second Okay in S. C.

COLUMBIA, S. C., March 14—(U.P.)—An anti-lynch bill making mob violence a capital crime passed its all-important second reading in the South Carolina House Wednesday.

By a vote of 51 to 34, the House approved Rep. Ernest F. Hollings' bill to "call a lynching what it is." In the South Carolina Legislature, the second reading of a bill is the crucial one and the third, enacting vote is usually routine.

27f

The House shouted down a proposal to send the anti-lynch bill back to the Judiciary Committee, which had approved it last week, and pushed aside the opposition of Rep. Farley Smith, son of the late Sen. Ellison D. (Cotton Ed) Smith.

The measure would provide punishment of death in the electric chair or prison terms from five to 40 years for "first degree lynching," in which the victim is killed.

A mob is defined as "an assemblage of two or more persons without authority of the law, for the purpose of committing an act of violence on the person of another." Any member of the mob, the bill said, would be presumed as guilty as the principal or principals.

The measure also prescribed three to 10 years at hard labor for conviction of a second degree lynching, in which the victim is wounded but survives.

Florida's Lynch Bill

On March 28 of this year Melvin Womack was found prostrate with pain in an Oakland, Fla., orange grove. He died in a hospital three days later. It was the first lynching of the year and reports of this gruesome act spread like wildfire throughout the country.

27f

Before he died, he told the coroner: "I don't know who did it and I don't know why." . . . He really didn't know why he had been sorted out and ushered to his death. In fact, Orange County Sheriff Dave Starr chalked up the death as the year's first lynch victim and called it "mistaken identity."

As a result of this lynching, the state of Florida was lambasted from all angles, and many had predicted that nothing tangible would come out of the verbal tussle. However, the Florida State Legislature last week introduced a strongly-worded anti-lynch bill providing the death penalty for violators and immediate action by prosecuting attorneys wherever evidence of a lynching is found.

Sat. 5-5-51 27f

Representative Akridge of Brevard County, introduced the bill which is called the Florida Anti-Mob and Lynching Act (HR-358). Under the bill, first degree lynchings are defined as any mob action where the victim is killed. The bill also rules that each member of the mob is subject to the death penalty. Minimum sentence is five years in prison.

The bill defined second degree lynching as mob action resulting in injury to the victim, and in this instance, the maximum sentence is 10 years imprisonment.

Still another bill asking for the ban of masked Klansmen and cross-burning was also submitted for action.

Though this is a step in the right direction, the bill has still to be passed by the Legislature and much opposition can be manifested before it becomes a law. There is no doubt that Florida is on the spot and should it fail to pass the measure, it will be another blotch on its already-soiled record. It is our belief that Florida is finally beginning to see the light and will punish the culprits who have been jeopardizing the lives of Negroes in the state.

But all of this is happening in Florida . . . and it is difficult to trust a state with Florida's reputation.

8299

Rumor False; Negro Is Shot

Angry, Armed Band Hurt Benefactor Of Brundidge Woman

6-22-51

BRUNDIDGE, ALA., June 21—(AP)—An angry, armed band of white farmers shot a Negro field worker Thursday on the false rumor that he had kidnaped a white woman.

The Negro, Forrest Jones, 35, was wounded in the hand by a shotgun blast as he returned home after taking a white child, hurt in an automobile accident, to a doctor's office.

After the shooting Jones was carried to the Pike County jail at Troy, 20 miles north of here, before Mrs. John Knight, a farmer's wife, scotched the rumor.

Brundidge Police Chief John D. Hughes said 30 or 40 men had gathered at Jones' farm home after the rumor spread that he had kidnaped Mrs. Knight.

Hughes quoted Mrs. Knight as saying that Jones had asked her for a ride to look for his wife, and she had consented.

While Jones was in the car, Hughes continued, Mrs. Knight had an accident in which her baby son was cut slightly.

Shooter Unidentified

The Negro, the police chief reported, went with Mrs. Knight to a doctor's office here, carried the bleeding child inside and then left to go home.

The Negro, said Hughes, was shot when he attempted to flee the band gathered at his home, but who shot him still had not been determined.

Hughes said he arrived at the Jones' home a few minutes after the shooting and took Jones into custody. He said none of the men in the crowd made a move to harm the Negro after he arrived.

The police head in this town of 2,600, located 57 miles southeast of Montgomery, added that Jones told him he was looking for his wife after a family quarrel.

Hughes then observed that Jones "has always been law-abiding and we regret that such a thing happened. I just knew he was telling the truth when I was taking him to Troy. We can't understand how the rumor got out and we are doing everything we can to find out how it started."

Negro's good deed nearly gets him killed!

BRUNDIDGE, Ala., June 21—A Negro farm owner narrowly missed death near here today when farmers and officers gathered at his home after a report that he had kidnaped a white mother.

The Negro, Forrest Jones, 35, of near Brundidge, was shot once in the hand. He was taken to County Jail at Troy, 20 miles from Brundidge, as officers continued their investigation of the case.

WILLIAM WATSON, city clerk here, said a Mrs. John Knight, young farm woman of the Richland community, four miles from Brundidge, let Jones ride to town with her, her infant child and her brother's 3-year-old son this morning.

6-21-51

A half-mile from her home the car was wrecked, and the woman's child was injured, splattering blood on the windshield and seat of the car.

A passing motorist stopped and drove the group to Brundidge where Jones picked up the woman's baby and carried it to a doctor's office. The doctor told the city clerk that Jones said "Charge the bill to me . . . the lady was riding me to town."

* * *

IN THE MEANTIME, reports spread about the countryside that "a Negro has kidnaped a white woman."

Neighbors and other farmers of the area found the blood-splattered car beside the road. They gathered guns, and officers were notified.

They gathered at Jones' farm home. When the Negro arrived and saw the crowd at his home, brandishing guns, he ran.

Shots were fired at him. He was hit once in the hand by buckshot before he was captured.

Officers then took him to County Jail at Troy.

Mr. Watson said the "whole thing looks like a false alarm . . . somebody made a mistake."

At Troy, Jailer W. W. Skidmore

id the officers brought Jones to "then left without saying any- to me, except to hold him they investigated further."

False Kidnap Rumor Ends In Shooting of Negro

Courier-Journal

By The Associated Press

Brundidge, Ala., June 21—An armed band of white farmers shot a Negro field worker today on the false rumor that he had kidnaped a white woman.

6-22-51

The Negro, Forrest Jones, 35, was wounded in the hand by a shotgun blast as he returned home after taking a white child, hurt in an automobile accident, to a doctor's office.

After the shooting Jones was taken to Pike County Jail at Troy, 20 miles north of here, before Mrs. John Knight, a farmer's wife, scotched the rumor.

Asked Her for Ride

Brundidge Police Chief John D. Hughes said 30 or 40 men had gathered at Jones' farm home after the rumor spread that he had kidnaped Mrs. Knight.

Louisville Ky

Hughes quoted Mrs. Knight as saying Jones had asked her for a ride to look for his wife, with whom he had quarreled. Mrs. Knight took him on the search.

While Jones was in the car, Hughes continued, Mrs. Knight had an accident in which her baby son was cut slightly.

The Negro, the police chief reported, went with Mrs. Knight to a doctor's office here, carried the bleeding child inside, then left to go home.

279

The Negro, said Hughes, was shot when he tried to flee the band gathered at his home. It had not been determined which of the men shot him.

Ala

Sheriff Regrets Mishap

Hughes said he arrived at the Jones' home a few minutes after the shooting and took Jones into custody.

Jones, he said, "has always been law-abiding and we regret that such a thing happened. . . . We can't understand how the rumor got out and we are doing everything we can to find out how it started."

27g 1951

Alabama

8300

WIFE SLAYER IN PRISON; MOB VIOLENCE FEARED

Commercial Appeal

Tom H. Roach Brought To Kilby For Safekeeping

MONTGOMERY, Ala., Sept. 1.—(AP)—Accused wife slayer Tom H. Roach of Lanett, Ala., was being held at Kilby Prison Saturday for safekeeping.

Mem. 9-2-51

Kilby Warden Andrew G. Warming said Roach was brought here about 1 p.m. after officials hinted that mob violence might be brewing in Chambers County, the dead woman's home.

Memphis, Tenn.

Roach had been confined in Muscogee County Jail at Columbus, Ga., just across the state line.

Muscogee Sheriff E. F. Howell said Roach, after reading from a Bible that "confession is good for the soul," related how he strangled his wife Aug. 17 and cut away part of her internal organs with a pair of scissors.

The 39-year-old woman's nude and mutilated body was discovered in a ravine near Cusseta, Ga., last week.

Chambers County Sheriff J. B. Abney said he was delaying transfer of Roach there until the reaction against the crime subsides.

Abney and Howell said Roach had admitted the crime in separate confessions.

27g 1951 Arkansas

8301

Merchant Is Held In 'Safekeeping'

Courier 2-24

PINE BLUFF, Ark. — George Alexander, a 68-year-old storekeeper, was being held in an undisclosed jail last week following the shooting of G. C. Hoover, a white farmer of Royal, Ark. Hoover died Monday, Feb. 12.

Witnesses said Hoover was shot about 200 yards from Alexander's store following an argument. District Attorney Pat Mullins was not in town at the time of Hoover's death and charges were withheld pending his arrival.

Pittsburgh Pa

27g 1951 Georgia

8302

Disperse Crowd

Police Avert Ga. Lynching

Courier

Sept 9-1-51

27g

EATONTON, Ga. — Several hundred persons gathered in front of Putnam County jail last week, apparently ready to get Bo Griffin, accused of killing a white man.

Officers dispersed the crowd with little difficulty.

Griffin, a paroled convict, was later moved to an undisclosed jail and is not expected to be returned to Putnam County until his trial comes up in September court.

Pittsburgh, Pa.

27g 1951 Georgia 8298

Disperse Crowd

Police Avert Ga. Lynching

Courier 27g

27g

EATONTON, Ga. — Several hundred persons gathered in front of Putnam County jail last week, apparently ready to get Bo Griffin, accused of killing a white man.

9-1-51

Officers dispersed the crowd with little difficulty.

Griffin, a paroled convict, was later moved to an undisclosed jail and is not expected to be returned to Putnam County until his trial comes up in September court.

DeKalb Slayer Spirited Away in Safekeeping Move

Constitution

27g

By KEELER McCARTNEY

A 48-year-old Negro ex-convict late Wednesday was removed from the DeKalb jail to an undisclosed prison for safe keeping after he confessed strangling a frail, gray-haired Tucker housewife with his hands and assaulting her, police said.

Capt. Harry Christian said the decision to move Homer Almond was reached after investigators noticed "signs of some unrest" in northern sections of the county. The victim, Mrs. Garnett N. Gabriel, 55, was known and loved in the section for her care of the sick and needy.

9-3-51

Almond, who occupied a small house immediately behind the Gabriel home on Brockton Road, described the gruesome slaying Wednesday after asking permission to conduct a prayer service, Christian related. He said the Negro, who had admitted parts of the circumstances surrounding the death, suddenly blurted out:

"White folks . . . you got me and I am guilty. I'd like to get with the Lord for a while and get him to help me tell you the full story."

Investigators stood with bowed heads while the Negro prayed. Christian said Almond then accompanied officers to the Gabriel home and pointed out details pertaining to the slaying.

The Negro told of going to the Gabriel home at 11 a. m. Monday to do some work there, DeKalb Chief Hoyt Sutton related. He said Almond was busy with pruning shears about the shrubbery when Mrs. Gabriel came outside.

Mrs. Gabriel accompanied the Negro to a tool shed a short distance from the house and pointed out some benches she wanted him to paint. Sutton said Almond identified the benches as those used by the Gabriels on outings at a barbecue pit.

As they left the shed, Almond was quoted as saying, he suddenly seized Mrs. Gabriel about the neck with his hands "and pressed until she went limp and fell." Then he said he took a red necktie which once belonged to the victim's husband and drew it about her throat.

There Almond said he removed part of the clothing and attempted an assault. He said he then carried the body into the basement and placed it behind the furnace.

Clipping the ends of the tie with the pruning shears, Almond took those fragments, together with the clothing he had removed from her body and the shoes, and buried them in a stump hole near the home. he told police.

27g 1951

New Mexico

8305

Killers of Policeman Moved for 'Safekeeping'

Inquirer

HOBBS, N. M., July 8 (UP).—Feeling ran so high in Hobbs today against two brothers who took a gun away from a city policeman and killed him and an elderly store clerk that the killers were moved out of town "for safekeeping."

27g

Assistant District Attorney Max Edwards said he ordered Speight F. Parks, 27, and his 22-year-old brother, Gene, moved because of "public excitement."

Mon. 7-9-51

Speight was captured after an eight-mile chase during which he commandeered four separate automobiles, only a short time after the shooting electrified the main street of this crowded oil town. He was wounded with a riot gun. His brother was apprehended near the scene of the cold-blooded shootings.

Philadelphia, Pa.

SHOOTINGS IN STORE

Edwards identified the victims of the "hopped-up" young men as Patrolman Robert B. Butler, 68-year-old parking meter custodian, and his friend, 63-year-old Ira Grantham. Granthan was an employe in a clothing store where the shootings took place.

Police said both men were under the influence of alcohol and dope. Edwards said they had been mixing "yellow jackets" with beer and that the "yellow jackets" were found in their possession.

The older brother has a long police record and both have been in trouble with police in Hobbs and Portales, N. M., before.

MEN ASK FOR DOPE

Prior to the shootings one of the men had entered the Mid-West Drugstore where Robert Prater, the owner, said he asked for "some red jackets."

"I have never heard of anything like that, but I knew what he meant," Prater said. "I could tell he wanted some kind of dope. I told him to get out and he left."

Prater said both men left without trouble.

It was shortly after this that Butler apparently spotted them "staggering" up the crowded sidewalk and "jostling passersby."

E. J. Galyon, of Denver City, Tex., said he told his wife, "Those two are going to be picked up."

He said Butler walked past him and took the arm of the younger man. It was then that the other one struck the elderly official and knocked him to the sidewalk, where they wrestled and Speight Parks grabbed Butler's pistol.

Galyon said Butler broke away and ran into the entrance of the K-C shop, where he stumbled and fell. Speight followed and fired three shots, then turned the blazing gun on Grantham, who was standing nearby.

27g 1951

North Carolina

8303

ur

NEGRO IS HIDDEN AWAY AFTER KILLING FOR CAR

Commercial Appeal

Farmer Shot, Wife Abducted In North Carolina

Mem. 11-23-51

WASHINGTON, N. C., Nov. 22.—(UP)—A "trouble making" Negro was rushed to the security of a secret jali Thursday as tension flared after he brutally shot to death a young white farmer for his car and abducted his victim's wife in the automobile trunk.

27g

Pretty Mrs. Harvie C. Boyd, 20, clad in a sheer nightgodn and blue jeans was rescued from her tight, frigid prison by state troopers who heard her anguished cries when they halted the getaway car for a routine driver's license check late Wednesday night.

Officers said Lafayette Miller, 21-year-old Negro on parole from a burglary sentence, admitted he killed Boyd for his automobile and kidnaped his wife to keep her from spreading the alarm.

27c

Tension among the populace of this quiet city on the banks of the Pamlico River in eastern North Carolina ran high as word of the slaying spread from house to house.

Miller, at first lodged in the jail at Greenville 20 miles west of here, was taken away under cover of darkness and put into a cell at the undisclosed eastern North Carolina jail.

Memphis

Beaufort County Deputy Sheriff Jack Harris said Miller "very probably would have been lynched" by angry townspeople had he been kept in this vicinity.

Mrs. Boyd, suffering from shock, was taken to a hospital for a checkup. She and her husband had been married about one year. Thursday was to have been possibly their last Thanksgiving together before he was to have reported to Fort Bragg, N. C., for a pre-induction physical examination Dec. 7.

She sobbed to her rescuers that Miller came to their new frame house late Wednesday night and shot through a window at her husband as he stood winding his watch.

She said she heard the shot and asked Boyd to turn off the lights.

"I can't . . ." she said he replied. Those where his last words.

8304

8304

Farmer Killed, Wife Kidnaped

279 N.C.

P. 5 A

WASHINGTON, N. C., Nov. 22 —(AP)—A paroled Negro convict shot a farmer to death Wednesday night, kidnaped his wife and stuffed her into the trunk of their automobile. The Negro was captured, charged with murder, and the attractive white woman was freed unharmed.

Deputy Sheriff Phillip Paul said that Lafayette Miller, 23, a convict paroled two years ago, admitted the shotgun slaying of Harvey Charley Boyd, 21, and the kidnaping of Mrs. Opal Moore Boyd, 20. Miller said he did not know the couple but wanted an automobile.

Boyd was killed by a buckshot blast fired through the window of his new, white frame home on the outskirts of Chocowinity four miles east of here. He had been scheduled to report to Ft. Bragg on Dec. 7 for a draft examination.

A shotgun blast hit him in the left shoulder. His wife, who was in another room, called out to him to put out the light.

"I can't," he ~~answered. Then~~ he died.

Mrs. Boyd said the Negro forced her to get her husband's automobile keys from his pocket. He ordered her in the car with him. Before going out into the cold night she slipped a pair of dungarees ~~over her nightgown~~

Prevent Lynching In Carolina Town

27g

WILSON, N. C.—(NNPA)— A lanky ex-convict was hurried to the security of the jail here last Thanksgiving night as mob violence flared over the shotgun slaying of a young farmer and the abduction of the victim's wife in an automobile trunk.

Jack Harris, Beaufort County deputy sheriff, said Lafayette Miller "very probably would have been lynched" by angry townspeople had he been kept in the vicinity of Washington, North Carolina, twenty-five miles from here.

N.C.

11-30-51

Miller, 21 years old, paroled from a burglary sentence over the protests of Beaufort County law enforcement officers, admitted he killed Harvie C. Boyd to get his automobile, then kidnaped Mrs. Boyd to keep her from spreading the alarm.

OFFICERS RACE TO JAIL AFTER 'MOB' THREAT BUT IT APPEARS TO BE HOAX

Daily News Sat 9-15-51

DURHAM, N. C. — (AP) — Three mysterious telephone calls last night brought more than a hundred officers racing to the Durham county jail. A hooded mob, said the caller, was going to take a man accused of murder from the jail. Today it all looked like a hoax.

The caller, who said he was Charles Norris and lived seven miles south of here, reported he didn't know whether the mob was going to free or harm the prisoner.

Officers couldn't locate either the reported mob or Norris.

"We haven't found anything to make it look real," commented Sheriff Sam Latta of nearby Orange county after a visit to the area where the mob was said to be forming.

279

But officers took no chances when the calls came in, beginning about 9:30 p. m. Eighty Durham policemen, some 20 state highway patrolmen and a host of sheriff's deputies, armed with riot equipment, formed a cordon around the jail building. Others in a 50-mile radius were alerted. They stayed on duty long after 1 a. m., the hour the caller said the attack was scheduled. Some of the officers remained throughout the night "just in case."

N.C.

Object of the reported mob was Hobart M. Lee, a 33-year-old white bulldozer operator who is charged with the killing Aug. 30 of Miss Rachel Crook of nearby Chapel Hill, a 71-year-old spinster.

"He sounded very excited, but talked in a low, quiet voice," said Mrs. Susan T. Conklin, police radio operator, of the caller. She received all three calls. "Each time he had a little more information."

The prisoner wasn't told about the excitement.

Sees Husband Slain; Saved from Killer

Washington, N. C., Nov. 22 [Special]—Still terrified and tearful, a young widow told today of the bedroom slaying of her husband by a ~~Negro parolee~~ who then kidnaped ~~her and kept~~ her imprisoned in an automobile trunk until her accidental rescue by police.

The captured slayer, Lafayette Miller, 19, said he committed the slaying merely to get his victim's automobile. He ~~was~~ taken to an undisclosed jail out of the county for safekeeping because of high feeling in this area.

279

"I thought he was going to kill me, too," sobbed Mrs. Opal Moore Boyd, 20, as she told of the tragedy and her apparent narrow escape. She was unharmed, however, except for exposure to freezing temperatures while scantily clad.

N.C.

11-23-51

Waits at Bedroom Window

Miller said he had been hunting and was walking past the Boyd home, on a farm 3½ miles east of here, last night about 9:30 o'clock when he decided he wanted the Boyds' car, which he saw parked near the house.

He said he went up to the house, stood by a bedroom window, and waited with his leveled shotgun until Harvey Charlie Boyd, 21, moved into view and his broad back provided a good target.

"Harvey was winding his watch and getting ready for bed," his wife related. She said the blast of buckshot fired thru the window feled him where he stood.

Forces Her to Get Keys

Mrs. Boyd, who was in her nightgown at the time, said she ducked down and crawled low across the room to turn off the light. But the killer entered and forced her at gunpoint to get the car keys from her dead husband's pocket. He told her to come along.

"I bargained with him to let me drive the car," Mrs. Boyd said. The Negro lay down in the back seat to avert suspicion that would be aroused if anyone saw him and the young white woman together in the car.

But after driving a short distance, Miller ordered her into the trunk. She had slipped on a pair of dungarees when she left the house but the cold weather chilled her as she lay in the cramped quarters.

The Negro was heading toward Greenville, 20 miles from here, when two highway patrolmen, returning from investigating an auto accident, halted him for questioning because of his erratic driving.

P. 1

Miller stopped the car, got out and went to the policemen's car in an apparently normal manner. When he couldn't produce a driver's license, the patrolmen returned with him to his car. They noticed the shotgun but Miller explained he had been bear hunting.

At that moment Mrs. Boyd screamed from the trunk. The officers quickly released her and seized the Negro. Miller, who had been on parole a year after serving a term for burglary, calmly admitted the slaying and the kidnaping.

Lynch Fever Rages When White Man Is Killed And His Wife Is Kidnapped

State Press Little Rock Ark.

379

p. 1

NC

Dec 1, 30 '51

[illegible]

Washington, N. C.—This town is seething with lynch fever as news seeped out that a Negro, 21 year old Lafayette Miller, had confessed to killing Harvie Boyd, white farmer, and kidnapping his 20 year old wife to keep her from spreading the alarm.

The Negro, Miller, who has already done time for a burglary sentence, is accused of shooting Boyd for his automobile. Then he put Mrs. Boyd in the trunk and kept her there until state troopers halted him to check his driver's license. It was then that Mrs. Boyd is supposed to have been discovered. She told troopers, that Miller had come to their house and shot her husband with a 12 gauge shotgun.

Authorities whisked Miller 55 miles from here to Wilson, N. C. to keep him "safe" from the mob.

8306

AN INSULTING QUESTION?

Triple Killing Silences Quartet's Predawn Song

279

COLUMBIA, S. C., Feb. 17—(AP)—Three members of a white male quartet died in a hail of bullets Saturday on picturesque Lady's Island, on the coast of lower South Carolina. A Negro who lives on the island was hustled to the state penitentiary here for safekeeping, and Sheriff J. E. McTeers, of Beaufort County, said the Negro admitted that he had shot the men.

The Negro, Smith Harvey, 40, was charged with murder.

The sheriff said that Harvey gave him this account under questioning at the penitentiary:

Harvey was on his way home from a cafe and passed the automobile in which the white men were sitting. They asked him an insulting question. He answered back. The men got out of the car. He fired at them with a .45 automatic he was carrying.

The sheriff said the quartet sang frequently for their own pleasure and were "riding around" Saturday morning before the shooting.

McTeer quoted the Negro as saying that he went home a roundabout way, throwing the gun into a creek as he passed over a bridge. The gun has not been found, but several empty .45 shells were found at the death scene and .45 bullets were removed from the bodies, the sheriff added.

279

Harvey, a veteran of World War II, said he had been a boatman but had not been working recently.

Lady's Island is about 125 miles southeast of here, and near Beaufort. The island is about 80 miles down the coast from Charleston.

The dead, who lived in this town across a small inlet from the island, were Wilson Lee McAlhaney, 21, telephone worker; Jadie Aubrey Godley, 29, telephone lineman and father of four children; and Lonnie Godley, a carpenter, who was Aubrey's brother.

W. C. Swain, a garageman on the island, remained in the car.

He later told his story to Coroner Roger Pinckney and Sheriff J. E. McTeer. The officers rushed the Negro to the state penitentiary at Columbia, although they said there was no indication of violence against him.

The coroner said he was told the assassin quickly produced his weapon and fired almost point-blank. He wouldn't say whether Swain told him that. Aubrey Godley had taken refuge under the car but a bullet found him there. His brother died later in a hospital. McAlhaney was mowed down at the start.

Officers wouldn't say whether Swain recognized the man with the gun. They said only that it was very dark at the time.

Veteran Blazes Away at Trio 'Rushing' Him

Afro-American

Dat. 2-24-51

Stopped on Return Home From Cafe

SPIRITED AWAY

Victims Not Too Well Thought Of

Baltimore

By RUFUS WELLS

BEAUFORT, S.C. — Racial tension reached a new high here Monday morning as double funeral services were held for two of the three white men shot to death early Saturday after they insulted a war veteran from their parked car at nearby Ladies Island.

The three were shot as they rushed Smith Harvey, 40, after insulting him. A fourth man escaped death by ducking on the back seat of the car.

Immediately after he was apprehended, Harvey was rushed to the State penitentiary at Columbia for safekeeping.

Extra police details patroled the streets as last rites were held at the Methodist church for two brothers, J. Aubrey and Lonnie Godley.

Funeral services for the other victim, Wilson McAlhaney, 21, were held at the Baptist church Sunday afternoon.

Can't Believe Reports

Meanwhile, in this town of 5,000 persons, residents stood on street corners in the summer-like sunshine and discussed the triple slaying.

In the end, they all came up with the same opinion: "It couldn't have happened like the papers said. Something about the shooting is being held back."

An indication that investigating officers are not completely satisfied with the present version of the shooting was uncovered by the AFRO on Monday.

Asked whether the murder probe had been completed, O. C. Mic[illegible], Beaufort County deputy sheriff, replied:

Ant. 2-24-51

Some "Loose Ends"

"We are still working on it. There are a few loose ends which have to be tied up yet."

He declined to elaborate on the statement, but admitted that the death weapon has not been found.

Meanwhile, Sheriff J. E. McTeerm of Beaufort County announced that he had obtained a "confession" from Harvey.

Was Returning Home

In his confession to State and County officers, Harvey said that he passed the four men in a parked automobile while on his way home from a cafe here.

He said that as he passed, one of the four asked him an insulting question and became angry at his reply.

When three of the four got out of the car and came toward him, Harvey said, he fired at them. Six or seven shots were fired.

Aubrey Godley and McAlhaney died instantly, and Lonnie Godley several hours later in Beaufort Country Hospital.

His Story Differs

The man who escaped was Wordis C. Swain. In giving his version of the case, Swain said that the four of them were seated in a parked car when Harvey stopped to ask, "What the h— is all this racket."

He said that someone in the car replied: "Who wants to know?" and that when the three got out the shooting started.

In his confession to Beaufort County Sheriff J. E. McTeer and State Constabulary Chief O. L. Brady, Harvey said that he had thrown the weapon into the inlet which separates Ladies Island from the City of Beaufort.

The car was parked on the Ladies Island side of the bridge, about 200 yards from Lonnie Godley's home.

279 AC

Traced by Bloodhounds

Harvey was arrested at his home about 1 o'clock Saturday, after bloodhounds and plaster paris shoe casts had linked him to the slaying.

Harvey, who enjoys a reputation as one of the best river men in the section and a crack marksman, belongs to a family which "doesn't bother anybody but doesn't take any foolishness," one prominent resident told this reporter.

2-24-51

"The reputation of the slain men," she said, "is not too good among our folk, but I don't know any of them. I have only heard it."

Wife of the accused man, Harvey, is reported to b
vannah, Ga., about 50 mil
from the scene of the killi

8307

Virginia Mob Routed After Threatening Officer

Constitution

COLONIAL BEACH, Va., Sept. 2—(AP)—A brawling mob estimated at 500 persons was routed by authorities here early Sunday after threatening the life of a town policeman at this Potomac River resort.

Sun. 9-3-51

Atlanta Ga.

C. B. Va.

The bellingerent crowd, angered by alleged mistreatment of a prisoner by Patrolman Charles White, laid sieeg to a waterfront restaurant for upwards of an hour before police reinforcements arrived to halt the demonstration.

White and a special policeman, R. E. Ritter, held the throng at bay with pistols after it had battered down the door of the Mayflower Restaurant in an effort to "get" the patrolman.

White and Ritter had gone to the establishment about midnight in response to a telephone call which reported trouble there.

Ritter said a fist fight had been in progress at the restaurant and that White found it necessary to use his blackjack to place Rogers J. Roberts, of Washington, under arrest.

Roberts was knocked unconscious by the blow and suffered scalp wounds. Ritter said a "menacing crcwd" began congregating outside the restaurant after this incident and soon "got all worked up and started shouting threats at White."

Ritter and White barricaded themselves within the building and called police for help. Police put out a general alarm which eventually brought officers here from state police headquarters in Richmond, the county sheriff's office, and police departments in Fredericksburg and Montross. Military police were dispatched from nearby A. P. Hill Military Reservation.

Both Roberts and his brother, identified as Everett Roberts, were taken in custody. Rogers Roberts was charged with assault and battery against White and with using abusive language. Ritter said he did not know on what charges Everett Roberts was arrested.

Both men, however, were released on bond.

Brawling Mob Of 500 People Threatens Cop

Advertiser

Alleged Mistreatment Of Prisoner Arouses Belligerent Virginians

Mon. 9-3-51

Montgomery Ala.

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White Woman Shoots Negro Assailant

Advertiser

JACKSON, LA., Feb. 19—(AP)—A white woman who was stripped of nearly all her clothes by a Negro assailant, broke away, got a pistol from her house and shot the Negro, District Attorney William Kline said Monday.

27h(1)

The Negro, a young yard boy patient at the East Louisiana State Mental hospital here, was captured after a five-hour manhunt Sunday.

Sheriff's deputies and state prison guards with bloodhounds found the wounded patient several miles from the hospital grounds.

Negro Rapist Given Death Sentence

Advertiser

BESSEMER, ALA., March 31—(AP)—A death sentence imposed on a 25-year-old Negro convicted of raping a young white mother was headed for mandatory state Supreme Court review Saturday.

4-1-51

Circuit Judge F. R. Mathews sentenced Eddie James Thomas, a lumber company employe, to die May 11 following his conviction by a circuit court Friday.

27h(1) Ala.

The Supreme Court must uphold the jury finding and sentence before Thomas can be electrocuted, however.

Montgomery Ala.

The woman testified she was dragged from her home while her husband was away working and raped twice. Her two children, asleep in the house, were not disturbed.

She identified Thomas as the attacker. She said she was knocked unconscious, dragged about 50 feet from her home and raped. Then Thomas carried her about 75 feet farther and attacked her again, she told the jury.

People Charged With Various Crimes To Face Hearings

BY MARCEL HOPSON

A young man charged with allegedly raping a 12-year-old girl and a young woman charged with allegedly cutting her husband, both were still confined in City Jail late Tuesday, while preliminary hearings for two other persons, booked on attempted murder counts were set for two p m. Wednesday, July 25 in Judge G. C. Boner's Court.

Confined in City Jail were Jimmy Lee Spivey, 24 of 3430 North Tenth Avenue, and Mrs. Sarah Coar 38, of 707 Twelfth Street, Ensley, police said.

27h(1)

Those set for the July 25 hearings are Miss Leila Stoudemire, 19 (or 23) of 4616 South Fourth Avenue; and Adam Daniel, 36 of 1407 South Sixth Alley, investigators said.

Spivey is charged with alleged criminal attack on a 12-year-old girl which is said to have occurred around 8:45 a. m. last Monday, July 16.

Following the alleged attack on the girl, a warrant for Spivey's arrest was sworn out by a man identified by police as E. J. Barry, of 3423 North Tenth Alley.

Police said the girl, whose address was given as 3415 North 10th Alley, also received two small cuts on her back.

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50 Suspects Questioned

Intense Manhunt Continues For Phantom Negro Rapist

Examiner Thurs. 8-9-51

Montgomery, Ala.

An intense manhunt for a phantom Negro rapist continued in Montgomery this week as City Police narrowed an original roundup of some 50 suspects down to nothing.

Following up an attempted assault in the same area last week, a Negro entered the Capitol Heights home of a 55-year-old grandmother, Monday afternoon, assaulted her and raped her.

A shocked Montgomery, getting the news next morning, joined in the search for the attacker.

Reward money offered for identification of the Negro started piling up. The sheriff's office offered a $100 reward. G. W. Dean and attorney Ed Branch offered rewards of $100 and $25 respectively.

27h(1)

At their regular commission meeting Tuesday, city commissioners voted to add an additional $150.

Ala.

Second Woman Saw Negro

Shortly after the attack took place, another woman reported, a Negro came to her door and asked her to call a taxi. He told the woman he was ill. Within a few minutes, she said, the taxi arrived and the Negro departed.

Bloodhounds from Kilby Prison were put on the scent at the scene of attack Monday. They traced the culprit's path to the home of the woman who called the cab. There the hounds could go no further.

By nightfall the Police Department had rounded up and questioned some 50 suspects, but a spokesman said later it appeared the attacker had not been caught in the net.

The rape victim told police the man entered her home through an unlocked door, surprising her as she sat in the living room. As he left the house later, the Negro was seen by the woman's daughter.

The victim's doctor reported that in the struggle with the Negro she also suffered a broken shoulder, head injuries and shock.

Negro Sought In Attempted Assault Here

27h(1) Ala.

Advertiser

Police scoured Montgomery in an effort to find an unidentified Negro man who attempted to rape a white woman Wednesday morning in her home on Sayre Street.

Thurs. 12-27-51

The attacker ran when the woman's daughter joined in beating him off.

P. 2

Police said they believe the attacker is the same man who raped a Capitol Heights woman some time ago. The description of the man tallies with descriptions given in the earlier case, and the methods used in both cases were similar, police reported.

Montgomery Ala.

The attacker was described as a young Negro man, about 18, with light complexion.

The victim's relatives said the Negro came to the back door of the home and asked for work. Told there was no work for him to do, he then demanded food.

The woman became frightened as they talked, and tried to lock the screen. The Negro burst through the door onto the closed-in porch, grabbed the woman and started beating her about the head, at the same time trying to tear her clothes off.

She screamed, and her daughter came from the house. Together, they beat off the attacker, and he ran from the house. Police said he probably has some bruises and scratches on the face.

Detectives lifted a number of fingerprints from the wall of the house, but said most of them are so smudged as to be of little help.

Search for Rapist Continues As Police Ask Citizens' Aid

27h(1)

ala

Leaving no stone unturned, the Montgomery Police Department continues its intense manhunt for a Negro rapist who attacked a Capitol Heights woman Monday, Aug. 6.

Meanwhile, the final total of reward money offered stands at $1,170. The money, donated by individuals as well as the City of Montgomery, will be given to any citizen who gives information leading to the arrest and conviction of the rapist.

Since the department started working on the case more than two weeks ago, numerous suspects have been rounded up and questioned, all to no avail.

Montgomery

Ala

Police said almost as many rumors had turned up as suspects. They gave as example a wild tale that the Negro had been caught and confined at Kilby Prison, on the Wetumpka Highway.

Examiner

"It's largely a process of elimination," Detective Captain Lewis Miller told the Examiner this week. "We're checking all leads. We're doing everything possible in our search for the guilty man."

Miller called on "anybody who thinks he has a valid suspect" to call him (Miller) and give him the leads. "We will certainly appreciate the information," he said, "and we will treat it with the strictest confidence."

8-23-51

Shortly after the attack occured Aug. 6, a woman near the scene of the crime said, a Negro man came to her door and asked her to call a taxi, telling her that he was ill. Within a few minutes, she said, the taxi arrived and the Negro departed.

8-23-51

It was at her home that Kilby bloodhounds lost the trail of the Negro. It is believed that this aid which the woman unknowingly and innocently gave the rapist has proven a major headache for the Police Department.

Examiner

27h(1) 1951

California

8310

8310

27h(1)

MRS. HELEN VIOLA SPANN
. . . tragedy a second time visits family . . .

27h(1) Calif

HELEN LOUISE SPANN
. . . murder witness first; now rape victim . . .

Child who saw mother kill father, now rape victim

27h(1)

Calif

Tribune

Sat. 4-28-51

Los Angeles, Calif

Tragedy which struck the family of Mrs. Helen Viola Spann, mother of 7, in the spring of 1949, had touched it again this week, with the report of police that 15-year-old Helen Louise, who saw her mother shoot and kill her father two years ago this month, is the victim of statutory rape and is four months pregnant.

The 15-year-old girl is remembered by reporters as having given the most intelligent testimony at her mothers trial in July of 1949 for the murder of her father, William, a hardworking Hall of Justice janitor, who held down several jobs and amassed considerable income property for his large family.

Mrs. Spann made headlines with her assertion that she shot and killed her husband in a fight which grew out of his determination to live as man and wife with her. She was acquitted in less than two hours after expert defense by Atty. Earl C. Broady who contended that the frustrated husband meant to kill his client.

Mrs. Spann testified that she had refused to sleep with her husband.

The child 13 at the time of the tragedy, has charged, police said, that she was seduced by Taylor Monk, of 265 E. 47th st., a laborer, on Jan. 10.

She went to Monk's house at 9:30 on that date with her sister, the young girl, who lives at 839 E. 83rd st., said. Monk asked her into his bedroom asked her to disrobe; and they had intercourse, the child charged.

Police said that Mrs. Spann asked that the man be prosecuted, and stated that the child will testify against him.

Child, rape victim, sues for $75,000

Tribune

Sat. 5-12-51

27h(1)

Calif

Los Angeles, Calif

A 10-year-old girl was plaintiff today in a $75,000 suit filed in superior court, charging her second cousin with rape. Defendant in the action is Charlie West Spear, 60-year-old packing house employee, of 10005 E. Zamora.

Suing through her father, the child, whose name and address are withheld, set forth in her complaint that by reason of the attack, she has "suffered pain, anguish, shock, and torture to irreparable damage of $50,000." An additional $25,000 exemplary damages was asked.

The complaint, prepared by Walter L. Gordon Jr., alleged that in December, 1950, the defendant seized her and committed an assault upon her.

The complaint stated that the exact date of the assault was not recollected by the small victim.

Spear allegedly told the child's parents that he was taking her to the park or window shopping and then took her to his home where he assertedly committed the act complained of.

Spear was recently convicted of criminal rape charges involving the girl and is presently in the County jail awaiting sentence.

Forgot to Lock Door, Widow, 47, Assaulted

World Telegram

Special to World-Telegram and Sun.

NEW CANAAN, Conn., April 10.—A slightly built, soft-spoken Negro raped a 47-year-old widowed mother who forgot to lock the back door of her home, police disclosed today.

27h(1)

4-10-51

Chief Henry E. Keller said the man invaded her bedroom, stifled her outcries with a pillow and threatened her with a knife. Police said they had several leads in a widespread search for the intruder.

Conn.

New York

The victim said she tried to talk "some sense into the man," but he told her he would cut her throat if she resisted. He took $5 of the $8 in her purse as he fled.

Wealthy Widow Accuses Negro

NEW CANAAN, Conn. — Although police are unable to get a confession from him and Joseph N. Small, 25-year-old Negro steadfastly maintains his innocence, Small will come up for arraignment in New Canaan Town Court this week on two counts of rape and robbery.

Small is charged by police with criminally assaulting a 47-year-old white and socially prominent widow, Mrs. Edward N. Ireland who lives on fashionable and exclusive Silvermine Road, New Canaan, not far from the home of Lily Pons and Andre Kostalanetz.

Date 4-28

Make Charges

New Canaan police chief Henry E. Keller says Small raped Mrs. Ireland in the attic of her home on April 9 and also robbed her of a large sum of money.

27h(1)

On morning of April 10, Mrs. Ireland hysterically called Police Chief Keller and told him she had just been raped and robbed. She told police that she had been sleeping in attic of her house while it was being remodeled. During the night she had heard a noise—paid no attention to it thinking it was squirrels. Suddenly she said a huge Negro loomed over her bed with a knife in his hand and threatened to kill her if she did not submit to him. He attacked her she claimed and then went through her handbag taking an undetermined amount of money.

The next day on April 12, Chief Keller arrested Small who has manufacturing plant here. Chief been working in a disinfecting Keller said the reason he suspected Small was because Small passed Mrs. Irelands home twice a day on way to and back from work.

Chief Keller admits he has no confession from Small but he says he has lots of evidence against him which will be presented when the case comes to trial in New Canaan Town Court before Judge Julius Groher. Keller says the Connecticut State Police helped him work up the case.

Held In High Bail

In the meantime, Small who is unable to obtain counsel because lack of funds, is being held in $25,000 bonds in County Jail in Bridgeport.

Mrs. Ireland is related to some powerful Fairfield County families and police reportedly, will leave no stone unturned in an effort to get a conviction.

New Canaan is a very fashionable and exclusive residential village, inhabited mostly by wealthy New York commuters. The residents of New Canaan fondly refer to their town as being "next door to heaven."

Date 4-28-51

27h(1) 1951 D.C.

8311

Trio Held on Rape Charges

The Washington Post

WITHOUT BOND—Held for the grand jury yesterday on charges of rape involving a 41-year-old woman are, from left: John Henry Lawson, 24 (covering up); Lynwood Smith, jr., 17 (partly hidden), and John Lee Freeman, 19.

27h(1)

Post D.C.

5-16-51

Washington

Two youths and a 12-year-old juvenile were held without bond yesterday after a 41-year-old woman accused them of raping her nine times within an hour early Monday.

As two of her attackers held her, the other raped her, in a wooded area behind the Charles Young School at Benning rd. and Oklahoma ave. ne., she told United States Commissioner Cyril S. Lawrence.

The accused are John Lee Freeman, 19, of no fixed address; John Henry Lawson, jr., 24, whose address was listed as 412 L st. se., and Lynwood Smith, jr., 17, who gave his address as 506 25th pl. ne. Juvenile Court waived jurisdiction over Smith.

Commissioner Lawrence ordered the trio held without bond for action of the grand jury on a charge of rape. He also ordered them held under $25,000 bond each on a robbery charge.

The victim said she was forced into a cab at 5th st. and Massachusetts ave. nw., late Sunday, and driven to what police describe as a jill joint, or illegal drinking place, on E st. Circle ne.

She said she tried to leave but couldn't get out until a fight broke out. In the street the suspected trio commandeered a passing auto and drove it to the wooded area, she said.

After the repeated assaults, she told authorities, the men debated over whether to knock her unconscious and leave her there. She was finally brought back to the E st. Circle place and allowed to go.

Yesterday, a 17-year-old youth reported to police he was the driver of the auto which had been commandeered and said he found the woman's purse in the car.

He said he was forced to stop to avoid running down the street fighters, then forced at knifepoint to let one of the tri drive the auto to the wooded area.

Man Hunted After Flight

Girl, 15, Tells of Attempted Attack in Bethesda Woods

Post

7-3-51

Fifth

Washington

D.C.

A 15-year old Bethesda girl was threatened with death and assaulted yesterday afternoon in a wooded area off Surrey ave. on the Bergdoll tract in Bethesda, police reported.

All available Montgomery County police immediately began searching the woods for the attacker, described by the girl as a shirtless Negro, between 20 and 25 years old, 5 feet 10 inches tall, weighing 160 pounds and wearing green fatigue trousers.

The victim said the man accosted her with a long penknife and twice threatened to kill her if she didn't submit.

She told police he led her into a clearing surrounded by thick underbrush, forced her to undress and started to attack her.

Suddenly, she said, the man got up and fled off into the woods. The girl ran home and was immediately placed under a doctor's care.

Police said she told them this story:

She had been visiting a friend in the fashionable Somerset community of Chevy Chase. The girl left her friend about 4 p.m., at Essex and Surrey aves. in Somerset.

Clad in shorts and blouse she turned left onto an unpaved extension of Surrey ave. to take a short cut through the woods to her home about a mile away on River rd. in Bethesda.

The road leads through a wooded area being developed as a residential community. The girl told police she had walked about a quarter of a mile down Surrey ave. when her attacker came toward her from the vicinity of a small construction shack.

After she was examined by a doctor, the victim led police to the scene,

From an inspection of the clearing, police said the man was apparently wearing sneakers. Footprints indicated that he ran north, left the woods about two blocks north at Falstone ave., headed toward Somerset, then doubled back and ran into the woods again.

Man Who Assaulted Housemaid, 19, Gets 4 to 12 Year Sentence

Evening Star

Sat. 7-14-51

27h(1)

District Court Judge James W. Morris yesterday ordered Lawrence P. Garland, 30, of the 1400 block of Q street N.W., to serve four to 12 years on a charge of assault with intent to commit rape.

Garland, who is colored, was convicted of trying to attack a 19-year old colored girl while she was at work as a maid in a private residence.

David C. Livingston, 28, colored, of the 5200 block of Karl place N.E., was sentenced to 16 months to 4 years by District Court Judge Charles F. McLaughlin for assault with intent to rape a 25-year-old colored woman.

Another man, Stonewall Weldon, 28, colored of the 1300 block of Fairmont street N.W., was given from 8 months to 2 years by Judge McLaughlin on a charge of attempted carnal knowledge involving a 13-year-old colored girl.

Arsonist Sentenced.

Leon E. Bowman, 22, colored, of the 900 block of Fifth street N.E., was given 3 to 9 years by Judge McLaughlin for setting fire last April to a building at 3140 M street N.W., occupied by the Western Auto Supply Co. Authorities reported the damage exceeded $50,000. Charges of breaking into the building and stealing a bicycle, which also had been placed against Bowman, were dismissed.

Two brothers were given suspended sentences and placed on probation for 4 years each by Judge McLaughlin for embezzling several thousand dollars from their uncle's estate of which they were trustees.

The two are Cecil E. Travis, 34, who was given a suspended sentence of from 16 months to 4 years, and Andrew F. Travis, 37, who was given a suspended sentence of from 1 to 3 years. Judge McLaughlin ordered the probation to run for 4 years for each. The brothers, who are colored, live in the 1500 block of T street N.W.

Uncle in St. Elizabeths.

Their uncle, Lloyd A. Travis, was a patient in St. Elizabeths Hospital at the time.

The exact amount of the funds involved was undetermined. The indictment charged the brothers with embezzling $7,453. Their attorney, however, contended the sums amounted to about $4,000. Judge McLaughlin ordered restitution of $5,000.

27h(1) 1951

Georgia

8331

5 Suspects Held Here In Rape Case

27h(1)

Five youthful Negroes Tuesday were held in connection with the multiple rape of a 36-year-old white woman who was discovered bound and gagged in a parking lot at the rear of 84 Pratt St. N. E.

Constitution

Two suspects, David Earl Reese, 18, of 57 Yonge St., N. E., and Vernon S. Matthews, 18, of 36 Bell St., N. E., were being held without bond at City Jail. Three others—one 17 and one 15—were held at the Fulton Juvenile Detention Home.

Wed 7-4-51

Dets. M. W. Blackwell and J. W. Smith said police were still looking for a white man who was with the woman shortly before she estimated she was attacked "15 or 20 times." They also were searching for three other Negroes in connection with the ordeal.

Cobb Woman's Attack Charge Jails Intruder

Constitution

mon.

7-23-51

A 25-year-old Negro man was being held by Marietta police Sunday on charges of suspicion of burglary and rape after the man admitted he entered a woman's house twice in one week with intent to burglarize.

Atlanta

Police said the man, identified as Boise Hill, of Milledgeville, who has a previous prison record, denied the rape charge.

Ga

The foman told police a man entered her house last Sunday and raped her. Police said they did not report the incident because they wanted a change to catch the intruder.

27h(1)

Then Friday night, police said, Hill ripped the screen from a window and entered the house again. The woman, who police said is "about 50 years old," fled from the house, breaking her hip in a fall from the porch. The man fled, but later was picked up.

When Hill was faced with the woman's accusation, he admitted entering the house both times, but denied the assault charge. He said he came back the second time because he "understood the woman got paid Friday night." He showed police a rifle he had taken from the house the first time.

Rape Charge Issued Against Eight Boys Here

News

Formal charges of rape Friday were issued against eight teen-age boys, charging them with the July 3, criminal assault of a 36 year old white woman.

The true bill, returned by the Fulton Grand Jury charged them with criminal assaulting the woman in a parking lot near the Municipal Market, after they forced her white male companion to flee.

7-28-51

27h(1)

City Detective J. E. Helms said that nine Negro witnesses testified at the hearing. He added they were very cooperative in helping to establish the facts in the case. The ages of the boys ranged between the ages of 13 and 18.

Ga

Two other bills of in indictment returned Friday charged two men with murder. A man, listed as Robert Barnes was charged with the January 15 fatal stabbing of Joe Raines. The other indictments charged Willie Terry with the July 20 slaying of Isaac Mitchell.

Police Probe Assault Charge

27h(1) Ga.

Atlanta police Tuesday were investigating the complaint of a 17 year old girl who was criminally assaulted early Tuesday morning by a man she had heard called "Junior."

Daily World

She was found by police on the corner of Hunter and Ware Sts., about 6:30 a.m. She said she was attacked by a man who offered to drive her home. She heard men he also was taking home called him "Junior." After taking the men home, the man reportedly held a gun on her, slapped her three times and forced her to submit to him. He later released her at Hunter and Mitchell Sts.

Wed 8-?-51

Atlanta Ga

'I did it,' police chief quotes Negro tenant about slaying

27h(1)

DECATUR, Ga., Aug. 22—(AP)—A 48-year-old Negro tenant has admitted raping and strangling grey-haired Mrs. Garnett Gabriel, DeKalb County Police Chief Hoyt Sutton said today.

Times

"I did it," Sutton quoted Homer Almond as saying after hours of questioning. Almond had moved early this year into a house on the Gabriel property at suburban Tucker.

Wed 8-22-51

He was arrested after the shoes, underclothes and personal belongings of the 55-year-old wife of an Atlanta insurance executive were found in a stump hole near the tenant house.

Sutton said details of the crime are still lacking and that Almond is being taken to the crime scene in an effort to put together a complete picture.

Decatur Ga

Gabriel, accompanied by neighbors, found his wife's body stuffed face down behind a basement furnace Monday night. Her under garments were missing.

* * *

Who nude was and how she died still puzzle

COLUMBUS, Ga., Aug. 22—(AP)—The nude body of a brunet, found in a lonely ravine, continues to baffle state and county police as to her identity and the way in which she died.

The body was found yesterday by three Negroes near Cusseta, Ga. It was brought here yesterday and an appeal sent out for families of missing persons to view the corpse in hope of identifying it.

An autopsy did not reveal the way in which the young woman died. No clues were found at the scene.

Parts of the body were taken to Alabama Polytechnic Institute at Auburn for examination in the hope that cause of death may be determined.

The victim, 20 or 21 years old, was five feet, three inches tall, and weighed about 115 pounds.

* * *

Uncle, accused of killing girl, is critically shot

BROWNSVILLE, Tenn., Aug. 22—(AP)—An elderly blacksmith accused of killing his pretty, teenaged great-niece was in critical condition today in a Memphis hospital.

Sheriff Jack Hunter said Lonnie Whitamore, 62, shot himself in the head with a .22-caliber rifle after killing auburn-haired Ruth Watson, 13.

Hunter said he was unable to find a motive for the slaying, which occurred yesterday near the home of Mrs. O'Neal Watson, Ruth's aunt.

Mrs. Watson reported Whitamore approached her and the girl with the rifle and said, "I told you so, Ruth." The girl ran and Mrs. Watson said she tried to wrest the rifle from Whitamore, but was slugged on the head.

Whitamore chased Ruth down the road and shot her, Mrs. Watson told officers, then turned the gun on himself. She added that he had been drinking heavily.

27h(1) 1951

Georgia

8312

Atlanta Man Held On Rape Charge

Daily Worker

Thurs. 2-8-51

An Atlanta man was held by police authorities Tuesday in connection with the attempted rape of an eight year old girl who lived near him. He was listed as Turner Randall, 40, of 206 Piedmont Avenue, N. E.

Atlanta, Ga.

Detectives J. M. Pack and J. W. Ellington reported they talked to the little girl's mother and were told the attempt had been made on her daughter last Saturday, February 3.

27h (1)

She said that she came home and was told by her five year old son that Randall had attempted the act with her daughter. The little boy is alleged to have been an eye witness to the attack made on his sister.

The mother reportedly questioned her daughter concerning the matter but the frightened child denied the unlawful attentions of the man.

Later, said the mother, she noticed that her daughter was ailing and questioned her again. This time the girl revealed that Randall had come to the house while the mother was away; had forced his attentions upon her, leaving after he gave her a quarter as reward. Randall was listed by police as being a neighbor of the girl he was said to have attacked.

Stab-Assault Suspect Bound Over in Fulton

Constitution

A Negro arrested a week ago on charges of attempting to rape a 13-year-old girl and stabbing her father has been bound over to the Fulton County Grand Jury by Chief Deputy Recorder Frank White.

27h (1)

Sun. 4-29-51

He ordered Charlie Simmons, 22, of 147 Richmond St., S. E., held under $500 bond for assault and battery (on the girl) and $500 bond for assault with intent to murder (the father), court records showed.

A Timely Comment

A sixteen year-old Atlanta housewife last Tuesday admitted in Recorder's Court that she contrived in her own mind and sent out a false alarm of attempted rape by two Negro men. Atlanta police were alerted to the alarm and by pointed and persistent questioning, the woman is reported to have broken down and confessed that she made the false outcry in order to gain the "sympathy of my husband," with whom she had had a quarrel. She paid a $18 collateral.

The Atlanta Constitution, refusing to regard the charge lightly, said editorially: "Here is the essence of racial troubles. The ghastly and brutal soul-scarring act of rape is one which arouses the deepest emotions, more especially where there is the racial angle involved. Yet police annually find a large percentage of false stories in reports of this crime."

It is always heartwarming to know that responsible white citizens, and especially the white press, understand the gravity of such a charge and that because of the possibility of perfectly innocent Negroes having to suffer for such unfounded charges, they live under a common fear lest at any moment some such irresponsible accusation is brought against them.

Editorials like that not only points the way for more responsible behavior by whites but also advance greatly the cause of interracial understanding.

27h (1)

HELD FOR HOAX

Girl Wife Flees, Fakes Morals Plaint

A 16-year-old Southeast Atlanta housewife with a flair for theatrics put on a good show Monday, police admitted.

Constitution

27h (1)

In fact, the performance was too good.

Answering a call to a vacant lot at Vanira and Fern Sts., S. E., patrolmen found a "semiconscious" girl who stammered out an incoherent story of being raped by two Negro men.

Police cars flooded into the area with the first radio lookout. Trainer Glenn Lee arrived with the Fulton county bloodhounds.

En route to Grady Hospital, the "victim" regained her senses enough to weave a horror story in which she was seized walking along the street, dragged through the lot and attacked.

Both attackers, she said, wore army clothing.

Atlanta

"What type hats," Capt. E. L. Sikes wanted to know.

"One had on a pink hat," she offered.

Sikes reflected suddenly that it was very dark on the vacant lot where the alleged attack occurred and changed his line of questioning.

"Oh, well," she admitted. "I'd had an argument with my husband and decided to leave home. Then I got to thinking . . . just forget it."

Sikes wasn't ready to forget so serious a charge. He ordered her booked for disorderly conduct-disturbance.

Atlanta woman tells of being attacked '18 times' by nine negroes

ATLANTA, July 3—(AP)—A 36-year-old white woman told police she was bound, gagged and raped "at least 18 times" by a gang of nine young Negroes early today.

Patrolmen S. S. Howle and C. N. Edge reported they found the woman in a back lot parking space in a Negro public housing project. She was bound with a shirt and gagged with a dirty handkerchief. They added several Negroes fled when they approached but one was seized nearby. Later four others were picked up on charges of suspicion of rape and an additional four were sought.

27h (1)

The woman gave her name as Mrs. Mildred Canada, of Atlanta. Two of those held are minors aged 13 and 15. Detective M. W. Blackwell said the younger one gave him a statement that several Negroes had sexual intercourse with the woman after a white man with her at the city market fled.

* * *

THE OFFICERS are seeking the white man for questioning.

Mrs. Canada told the officers she and a white man bought a bottle of wine and walked out to the produce market. There, she reported, the Negroes threatened and drove away her companion and dragged her to the housing project, across the street from the market.

She said her attackers threatened to kill her if she did not keep quiet. She added that she was moved from one spot to another three times during the early morning hours.

POLICE BLOTTER

Youth Jailed On Complaint Of Woman

27h (1)

Constitution

An 18-year-old Negro youth was jailed Wednesday for suspicion of molesting women in connection with a complaint by a welfare worker, detectives said.

A 35-year-old white woman connected with a placement service of the Welfare Department said the Negro called several times and insisted that she meet him, Dets. J. E. Sikes and R. A. Boone said.

Thurs. 9-5

Detectives said they instructed the woman to meet him on Boulevard near Jackson St., N. E. And then waited with her until he arrived. The Negro, listed as Booker T. Fanning, 18, of 375 Houston St., N. E., was booked at city jail.

Negro Youth Sentenced In Atlanta Assault Case

By the Associated Press

ATLANTA, Dec. 1.—The first of eight young Negroes charged with raping a white woman at a Negro public housing project near the city produce market has been convicted of the lesser offense of assault with intent to rape.

27h (1)

Superior Court Judge Virlyn B. Moore followed a jury's recommendations and sentenced the Negro, Vernon Sylvester Matthews, 18, to 12 to 20 years in prison yesterday.

P.A.-10

The jury reached its verdict after Judge Moore found the evidence did not measure up to the legal requirements for rape and directed the jurors not consider that charge.

12-2-51

Two of the eight indicted for rape are minors and petitions have been filed to transfer them to juvenile court custody. The other five are awaiting trial later.

27h(1) 1951 Illinois

8315

Lad, 9, Sees Attack On Mother, Fingers Rapist

27h(1)

A nine-year-old boy picked Robert Pinkney out of a police line-up Tuesday as the man who raped his mother, September 24, saying, "Mama, there's that bad man."

10-13-51

Pinkney, 21, of 6159 Indiana ave., had been identified on the street earlier by his victim. Her son identified him before talking with his mother.

Detectives Joseph Thurston and Walter McCarthy of Woodlawn police spotted two men who fitted the description of the rapist, Tuesday, after a two-week search.

They contacted the victim, and she identified Pinkney as he loitered in front of a store at 61st st., and Indiana ave.

Previously she had reported that a youth of six feet, four inches and about 150 pounds halted her on the street as she walked home with her son, September 24. He forced her into an alley behind 6134 Prairie ave. at gunpoint and attacked her twice, holding the child off at gunpoint.

RAPE ATTEMPT SUSPECT FACES NEW QUIZZING

Arthur Ratcliff, 36, Negro, of 40 W. 44th st., an ex-convict identified as the man who attempted to rape a Park Forest housewife late Saturday night, will be questioned in the state's attorney's sex bureau today. Victim of the attempt is Mrs. Marjorie Wolfe, 32, of 1 McCarthy rd., Park Forest, mother of two children. She said Ratliff made the attempt after forcing her car into a ditch with his own car near Chicago Heights. He was captured later near Joliet as he slept in his car.

27h(1)

Rapes Woman Three Times While Husband Watches

Cruel

CHICAGO. — (ANP) — A 19-year-old man was identified last week as the apparently dope-crazed assailant who raped a 25-year-old white mother of two children three times while her husband, bound by a clothesline, was forced to watch.

10-26-51

Louis Florence was identified at the Cook county hospital as the rapist of a white woman who had been forced to bind her husband in the kitchen of their apartment. Florence had been arrested and taken to the hospital earlier for treatment of a possible fracture of the right ankle received leaping from a second story window after breaking into the apartment of a 38-year-old widow, also white.

The police reported the story of the rape as follows:

Florence, carrying a gun, entered the apartment of the young couple through the back door which had been left open. He confronted the couple as they were eating dinner in the kitchen. He demanded money, taking the husband's wallet containing $16.

Florence then ordered the woman to tie up her husband, handing her a clothesline. Tearing off her clothing, he bound her and, dragging a blanket from the bedroom, raped her on the kitchen floor while her husband, 26, struggling to free himself, looked on. The attacker then placed hankerchiefs over their faces.

Florence then ransacked the apartment and took $50 from the wife's purse. Finding no more money, he raped her again. Demanding more money, Florence threatened to kill the couple's six-month-old baby that was asleep in the crib.

27h(1)

Persuading the rapist there was no more money in the house, she was attacked again. By this time the couple's 5-year-old daughter came into the kitchen from the front room where she had been sleeping. Florence, fleeing, threatened to kill the baby if the police were called.

Cruel

When the assailant-robber was confronted by the victim in the county hospital, he was identified at once by the 5-year-old girl. Detectives had to restrain the rape victim's husband from attacking the accused man. The rape victim and her husband signed charges of rape and robbery.

10-26-51

Florence was arrested in the rear alley of an apartment on West Washington boulevard, where he had broken into the home of Mrs. Dorothy McGinnis, a 38-year-old widow, by climbing a drain pipe. When awakened by the prowler in her apartment, the widow jumped out of bed and screamed.

The prowler sought to seize her, but she eluded him and ran into the hallway He then ran down the hall, jumped into the rear alley from the second story, where he was picked up by the police

27h(1) 1951 Maryland

8316

Acquit 4 Boys, Man, 25, Held in Attack Rap

27h(1)

White Woman Fails to Identify Them; Man Freed Earlier

Afro American

Date. 9-1-51

Md.

Four young boys went free after a 5-minute hearing in Juvenile Court Thursday because the 25-year-old white woman who had accused them of criminal assault admitted she couldn't identify them.

The woman, Miss Nylos P. Jones, 400 block W. Seventh St., surprised attorneys when she stated she "wasn't particular," about prosecuting the case.

Baltimore

Moses Daniels, 25, of 1200 block Dance St., had been dismissed of the same charges in police court Aug. 10 when the woman stated she could not positively identify him.

Richmond 4

Dismissed in Juvenile Court were Edward Watson Jr., 1000 block W. Carey St.; Lawrence Barbe, 1400 block Idlewood Ave.; Red Hughes, 1000 block Idlewood Ave., all 17, and Alfred Holmes, 14, of 1300 block Idlewood Ave.

The woman had charged that the attack took place on July 25 in a field at the end of Harrison St., near the Clarke Springs Playground.

The story of the mass attack was told by the woman after she and a man named Alvin M, Waters, white, who also lives in the 400 block W. Seventh St., had been arrested near the extreme end of S. Harrison St.

Both Drinking, Police Said

Police said then that they had been drinking and the woman's clothes were torn.

Both the white man and the woman were placed under $300 bond for 90 days and ordered to submit to a Health Department examination. They were accused of being persons not of good fame.

The boys were represented by Howard Carwile and Roland D. Ealey, attorneys.

The acquittals were attributed by civil rights observers to the huge protests and demonstrations here last February around the case of the Martinsville Seven, innocent colored men who were executed on criminal charges, and to the prompt manner in which colored and white citizens here acted to avert a new legal lynching.

27h(1) 1951

Mississippi

8338

Negro Boy Rapes 12-Year-Old Girl

27h(1)

City Detectives Wednesday reported the rape of a 12-year-old Negro girl by a 17-year-old Negro boy Tuesday in the [illegible] block of Topp street.

Officers said the girl required medical attention following the alleged attack in the boy's home.

According to police, the boy called the girl by phone and asked her to come to his home. When she arrived he forced [illegible] and raped [illegible] officers said.

The boy disappeared following the attack and police were still searching for him Wednesday morning.

Accused Negro In Dickins Case Said Hiding in Chicago

Where is Charles Ferguson, Washington county Negro escapee from Whitfield—the "slender Negro" Mrs. Ruth Dickins of Leland contends was the slayer of her mother, Mrs. Idella Thompson?

27h(1)

(Mrs. Dickins is serving a life sentence for the garden-shears slaying of her mother, having been convicted by a Washington county circuit court.)

9-7-51

No trace has been found of the tall, dark-skinned Negro youth since he fled the mental institution last Saturday night. Hospital officials warn that he is dangerous.

The 19-year-old criminally insane Negro, who at 13 was charged with the murder of a Washington county Negro storekeeper and his wife had escaped the institution in 1947 and was not returned until 1950.

In Delta circles the report that Ferguson has fled to Chicago where his mother lives, is being widely circulated.

One thing is sure: The family and counsel for Mrs. Dickins have not relaxed their efforts to try to bring additional evidence in the case to light.

Jackson Miss

John Dickins, Leland planter and husband of the convicted woman conferred here Thursday with W. D. (Buck) Conn, of Jackson, attorney for Mrs. Dickins.

Mrs. Dickins was convicted of murdering her aged mother with a pair of garden shears in November, 1948.

At that time, Ferguson was at large.

Last year Mrs. Dickins twice identified Ferguson from a line-up of 21 Negro patients at Whitfield as the Negro she said she found in her mother's bathroom immediately after the crime had been committed.

Ferguson's grandmother, who lived in another county, stated, however, that the escaped patient was with her at the time of the crime.

27h(1) 1951

New Jersey

8314

Sex Crime Stumps Police in Trenton

TRENTON—A police dragnet was spread Monday for suspects whom they believe murdered attractive 25-year-old Marie Mack in a blackberry patch after a brutal sexual attack. Date 8-18-51

The young woman's body was found lying nude on a bed of ferns in the rear of the Trenton Country Club by Mrs. Ellen Swank, a blackberry picker of Honey Holly Rd.

Shock Cause of Death

Dr. Michael Commini, Mercer County coroner, said Miss Mack, whose address was given as 32 Bellvue Ave., died from shock induced by the terrific scuffle with her unknown attackers.

Police said their investigation indicated that the young woman, who came here from Florida, had been dragged into the blackberry bushes and attacked.

She was stabbed under the neck and a penknife was found by the side of the body. The clothes she was wearing were strewn about her on the ground.

They included yellow pedal pushers, pants, a yellow sport shirt, black open-toe shoes and a blue handkerchief knotted loosely around her neck.

Miss Mack was 5 feet 4 inches tall, weighed about 140 pounds and had short, brown curly hair.

The body was turned over to Roger Dade, undertaker, 108 Bellvue Ave.

Two Thugs Abduct, Rape Harlem Singer

27h(1) NJ

HACKENSASK, N. J.—Local police were on the lookout for two hoodlums who raped an attractive Harlem singer six times, robbed her of $15, a ring and a watch, then pushed her out of a car nude on Route 17 near East Rutherford last week. The victim, Leola Grant, 29, 352 St. Nicholas Avenue, New York City, is the mother of three children, police said.

27h(1) 1951 New York

8317

$2,500 Bail Holds Boro Laborer On Rape Charge

Amsterdam News

A pint-sized laborer, who worked almost directly across the street from the Atlantic Ave. Station, was held in $2,500 bail Friday on charges of raping a 14-year-old girl.

Date 2-10-51

The suspect was identified as Clarence Quick, 25, of 504 Grand Ave., Brooklyn. Quick, a shipping clerk, was charged with raping the girl three times Jan. 6. He was arrested by Dets. Don Rolker and Al Marte of the Atlantic Ave. Station as he came to work at the Irmas Fashions Co., 1706 Atlantic Ave. A quiet, personable man, Quick said he knew the girl for about a year preceeding the attack. The assault occurred in Quick's sister's apartment after the suspect had kept the girl out all night. Quick, a married man with two children but living apart from his wife, was described as five-feet, five inches tall and weighing 125 lbs.

Amsterdam News
Sat. 2-10-51
New York, N.Y.

Delivery Boy Seized, Linked to Sex Crimes

World Telegram

A delivery boy was identified as the attacker of a 6-year-old child today a few hours after two plainclothes policemen nabbed him while he allegedly was trying to force himself on a woman he had followed to her Harlem home.

Patrolmen Henry Radda and Charles Alt heard screams coming from a hallway at 321 E. 101st St. shortly after midnight, rushed into the building, and subdued James Furlong, 27, a Negro, after a brief but fierce battle.

A 26-year-old nurse's aid told police she had fought off Furlong until they arrived. She was treated at Mount Sinai Hospital, and discharged.

At the 104th St. station, Furlong was identified by a 6-year-old girl as the man who attacked her April 30 in the elevator of a housing project at 2070 Third Ave., police said.

The child and her mother were brought to the station house by detectives assigned to the case.

Furlong lives at 629 W. 142nd St., police said.

Police said he admitted raping "a few other women," and in 1944, while in the Army, was sentenced to five years on a rape charge.

Scottsboro Defendant Held in Attack on Child

ALBANY, N. Y., July 12.—A man, who identified himself as one of the "Scottsboro boys," was held here today on a first-degree rape charge, and Alabama authorities said they would list him as a parole violator.

Albany 7-12-51

The man, booked as James Wright, 39, colored, was accused of raping a 13-year-old Negro girl in her home here. He pleaded innocent in Police Court yesterday, and was jailed pending an examination July 19.

Wright told police he was one of the nine Negroes involved in the notorious rape cases involving two white girls in Alabama two decades ago. He was paroled June 9, 1950, from a 99-year prison sentence. He was the last of the nine to be freed.

In Montgomery, Ala., Secretary L. B. Stephens of the Alabama Parole Board, said last night that Wright would be declared a parole violator. He added, however, that Alabama would insist that Wright be tried on the rape charge in New York State.

As Wright was led from Police Court, he told detectives:

"Well, I've been through this before."

Suspect Seized In Rape May Be Scottsboro Boy

Herald

He Says He's Andy Wright; Is Held in Albany in Attack on Negro Girl, 13

From the Herald Tribune Bureau

ALBANY, July 11.—A rape suspect, who boasted to police that he was Andy Wright, one of the nine "Scottsboro boys," was arrested this morning charged with attacking a thirteen-year-old Negro girl.

The prisoner, who gave his name as James Andrew Wright, thirty-nine, pleaded not guilty to the charg ewhen arraigned in Police Court and was held for further hearing July 19. Police arrested him at his home, 187 First St., after receiving a complaint from the girl and her foster mother, who had become acquainted with him. The alleged attack occurred last week, according to Detective Capt. John Reilly.

Capt. Reilly said Wright boasted of being a "Scottsboro boy" and added that their preliminary investigation showed that this was almost certainly so; except for the positive identification of fingerprints, which would take a day. The officer said Wright had been working as a weaver in a mill in Cohoes and had been paroled a year ago from Kilby Prison in Montgomery, Ala. At that time Wright, who had been sentenced to ninety-nine years, promised the parole board to "stay out of trouble." He was the last of the nine defendants freed.

Case Started in 1931

The Scottsboro case broke on March 25, 1931, when the nine Negroes, ranging from thirteen to twenty-one, were accused of attacking two white girls, Ruby Bates and Mrs. Victoria Price, in the gondola of a freight train of the Southern Railroad. The nine were convicted and sentenced to death and their case drew international attention, sparked by the Communist party which undertook their first defense.

Originally sentenced to death, Wright drew the ninety-nine-year term at his tenth trial. His younger brother, Roy, was freed. During the long jail periods the nine boys often erupted into violence and in 1933 Andy and Roy Wright were put into solitary for stabbing Haywood Patterson, another defendant.

Wright had been paroled in 1944, but was re-arrested in 1946 for violating the terms of his parole by leaving the state. His last parole came on June 6, 1950.

Patterson's Third Trial

DETROIT, July 11 (UP).—Haywood Patterson, thirty-eight, one of the Scottsboro boys, was held without bail today for his third trial on charges of murdering factory worker Willie Mitchell in a tavern brawl in December. Patterson pleaded not guilty. The first trial in Recorder's Court in April ended in a hung jury. A new jury was called but the judge declared a mistrial when it was reported spectators in the courtroom had talked to several of the jurors. A third trial is expected to be scheduled for the court's fall term.

Figure in Scottsboro Case Accused of Raping Negro Girl

277(1) N.Y.

ALBANY, N. Y., July 11—(UP)—One of the nine Scottsboro case rape figures was arrested here Wednesday on first-degree rape charges involving a 13-year-old Negro girl.

James Andrew Wright, 39, who came here 15 months ago after serving time in connection with the famous Alabama case was arraigned in police court and demanded an examination which was set for July 19. He was taken to Albany County jail.

GIRL TELLS MOTHER

The girl, whose name was withheld, said Wright attacked her in the bedroom of her mother's home July 3 and threatened to "cut my throat" if she told anybody, police said. They added the girl kept quiet until Tuesday when she told her mother.

9-12-51

Police Chief Philip J. Coffey said Wright, a weaver employed by a textile firm in nearby Cohoes, admitted he is one of the nine Negroes originally sentenced to death on charges of raping two white girls near Scottsboro, Ala., March 25, 1931.

Coffey said he understood Wright knew the Albany girl's mother and had been a visitor at her home on several occasions.

NAACP REQUEST

Wright settled here more than a year ago through the efforts of several Albany persons interested in his welfare. He told the court he was born April 23, 1912, at Chattanooga, Tenn.

Dr. Joseph Robinson, Albany Negro physician, said he sponsored Wright at request of the National Association for the Advancement of Colored People.

Court records show that Wright first was sentenced to death, then after a second trial was convicted and sentenced to 99 years imprisonment.

The Scottsboro Case, which stirred up an international fuss for years, was before U. S. Supreme Court several times.

The nine Negroes, ranging in ages from 13 to 21, were accused of attacking two white girls in an open freight train gondola near Scottsboro.

3d Murder Trial Set For 'Scottsboro Boy'

DETROIT, July 11 — (U.P.) — "Scottsboro Boy" Haywood Patterson, 38, was held without bond Wednesday for his third trial on charges of murdering factory worker Willie Mitchell in a tavern brawl last December.

Patterson pleaded innocent to the charge. The first trial in Recorder's Court in April ended in a hung jury. A new jury was called, but the judge declared a mistrial when it was reported spectators in the courtroom had talked to several of the jurors.

A third trial is expected to be scheduled for the court's fall term.

Mitchell died of a stab wound in the neck. Patterson, author of a book reviewing the Scottsboro Case, was working for a construction company at the time.

Man Raped; Police Hunt Three Girls

9-22-51

NEW YORK — A 27-year-old white electrical contractor, clad only in a blanket, staggered into a Long Island police station last week and blurted out horrible details of how a blonde and two Negro girls allegedly raped him at knife-point in a lonely section of the city.

The victim, James Anderson, a bachelor who lives in Far Rockaway, said he'd had a few beers at a nearby tavern and was on his way home when he saw a blond thumbing for a ride.

"She was pretty," he told police, "so I stopped to give her a lift."

After driving for a while he reported she drew a switch-blade knife and shoved it into his ribs and ordered him to drive out to a secluded spot.

They drove to a vacant lot, took a blanket out of the car and the blond forced him into a clump of bushes, Anderson said.

The Negro girls were allegedly waiting in the clump of bushes and the trio forced the young bachelor to make love to them, one at a time, at knife-point, after forcing him to undress.

After the episode the girls disappeared into the night. Anderson said he was too dazed to find his clothes or his car. So he wrapped the blanket around him and walked to the nearest police station.

Police doubted his story at first, but upon investigation they found his clothing, automobile and a woman's necklace at the scene. They were convinced.

22 51

Authorities warned men throughout the area to be careful about going out alone at night.

They said this was the fourth "reverse rape" case reported recently in the country.

8318

Step-By-Step Account Of A Dixie 'Look Assault'

'Victim' Tells Story Of Infamous N.C. Case

MACK INGRAM, 44-year-old farmer, has been sentenced to two years on the road gang for allegedly "assaulting" a 17-year-old white girl in Yanceyville, N. C.

When the NAACP legal staff looked into the case, they made the startling discovery that Ingram was convicted despite the fact the girl admitted he was never close enough to touch her. Attorneys immediately filed for and won a new trial, now scheduled for Nov. 12.

Here is the girl's testimo as given at the original tria

Read it and no doubt you wil agree with association lawyers that "it is the weakest testimony we have had the privilege of seeing."

Miss Willa Jean Boswell, the prosecuting witness, being duly sworn, was examined and testified as follows under direct examination by Mr. Horton, solicitor.

. Your name is Willa Jean Boswell?

A. Yes, sir.

Q. Where do you live?

A. On Route 1, Yanceyville.

Q. Out on 62?

A. You turn off 62 at Bush Arbor church.

Sees Accused

Q. On the 4th of June, 1951, did you have occasion to see Mack Ingram? If so, where and under what circumstances?

A. He was coming out this little dirt road and I was going down the highway to the tobacco patch to work, and he stopped up there at the "stop" sign, and as I got off the road, he came up the highway and kept watching me, and when I got down in that patch of woods, he turned, then pulled to the side of the road and stopped, and I ran through these woods because I was afraid, and he got out of the car and when I got out of the woods — I had gone about 50 or 75 feet, I saw him coming right at this woods, nd I kept on going, walking ast, and he kept on coming, nd I got a pretty good ways ahead of him and he stopped and stood and watched me.

Q. He was standing there watching you?

A. Yes, sir.

Q. When you turned off the highway into this piece of woods, how far did he take that car down the road before he stopped and jumped out of the car and followed you?

A. I think they said it was 68 steps from the road I turned off.

Q. Did he have his eyes on you all of the time?

A. He was going real slow and had his head turned watching me the whole distance.

Q. After he got out of the car, was he watching you?

A I don't know I was coming through the woods.

Not in Woods

Q. Did he cut through the woods ahead of or back of you?

A. He cut through the corn field.

Q. He was not in any woods at all?

A. No, sir.

Q. Did it frighten you?

A. Yes, sir.

Q. You were fearful of what might happen?

Mr. Upchurch: This is a serious case for my client, and I will ask you not to lead her.

Judge Vernon: Don't lead her.

Q, From there, did he follow you in the same direction and distance you were going?

A. I cut through the short way, and he went around the woods. If I hadn't run, when I got there he would have been 15 or 20 feet from me — but I ran.

Q. You were scared and ran?

A. Yes, sir.

Q. When did he stop, if he did stop?

Stops at Fork

A. I wouldn't say how far he went, but he went to where the road forks, one goes one way and one the other. He stopped right there.

Q. Did he speak to you at any time, or you to him?

A. No, sir.

Q. There was no conversation between either of you?

A. No, sir.

Q. What did he do then after he got down to where this road forks?

A. He stopped and I kept on going.

Q. Where did you go?

A. To the tobacco patch — my two brothers and daddy and granddaddy were there.

Q. How close was that to where Ingram stopped?

A. It was right good ways.

Q. Could you see them?

A. I didn't see them until I got right over there — to the field just about.

Q .And then what did you do? Did you tell your father and your brothers?

Tells Brothers

A. I looked back and didn't seem him any more, and I stopped there and was hoeing the ground, and as I was hoeing I asked my two brothers who that was and they told me and I told them what happened and they went running to tell Daddy.

Q. And you were very much frightened?

A. I was crying when I got to the field.

Q. And you told your brothers and father, of course?

A. My brothers went and told Daddy — he was at the other end of the field.

Q. And they knew who Mack Ingram was?

A. They told me.

Q. Did Mack Ingram make any statement in your presence at any time?

A. No, sir.

Q. And you made no statement other than to tell your father and brothers what happened by him following you? Is that all you know, little lady?

A. Yes, sir.

Q. Nothing else you want to tell the court?

A. No, sir.

Identifies Ingram

Judge Vernon (indicating the defendant): It that the man who got out of the car and followed you?

A. Yes, sir.

Mr. Horton: What is your age?

A. Seventeen.

Q. Why did you run?

A. Because I was scared. If it had been anyone else, I wouldn't have run, but he kept watching me, and when I went to the woods, he pulled up to the side of the road and stopped.

Q. And you were frightened?

A. Yes, sir.

Q. Could this Mack Ingram see your father from where he stopped?

A. No, sir, because I didn't see him until I had got to the tobacco patch.

Q. And you were closer than he (Mack Ingram) was?

A. A lot closer.

Q. When he stopped, wern't you a considerable distance ahead of him?

A. Yes, sir. I was walking fast. I ran and then I kept walking fast.

Q. Is there anything else you haven't told the court?

A. No, sir.

Cross-Examination by Mr. Upchurch

Q. Your father has an automobile trailer, doesn't he?

A. Yes, sir.

Q. And your father lives on the hard-surfaced road leading from Bush Arbor to Reisdville, doesn't he?

A. He lives on one side and my Granddaddy lives on the other.

Q. And this road that Ingram was coming in enters the Bush Arbor Road right in front of your grandfather's place?

A. Yes, sir.

Q. The "stop" sign in the road leading from Aldridge's Store in front of your grandfather's, about how far back from the road is it?

A. It's not very far.

Q. About half-way cross the the courtroom?

A. No, sir. You can see it some distance.

Stops by Sign

Q. When he stopped by the stop sign, where were you?

A. I was just coming off the hard-surface where he was about to approach.

Q. Down this little road which leads by your grandfather's yard?

A. It is down past his house about fifty feet.

Q. Past his house?

A. Yes, sir.

Q. You turned in and want in the road that led through the woods down to the tobacco field?

A. Yes, sir.

Q. Was your mother at home?

A. She was at the house somewhere.

Q. Was your grandmother at home?

A. No, sir.

Q. Was your grandfather?

A. No, sir.

Q. Ingram didn't know whether they were home or not, did he?

A. I wouldn't know.

Q. Was he coming by and constantly looking up to the house when you left?

A. I don't know about that — whether he was looking at the house or not.

Q. When you went down in the woods, he had to slown down and turn — make that short turn — and go back towards Billy Miles' store?

Left the Road

A. I didn't get to the woods then.

Q. You had left the road?

A. Yes, sir.

Q. A little opening before you got to the woods — and he had to go down and make a short turn and go back towards Billy Miles' store?

A. He made a turn.

Q. And you went through the woods and he went on out here 75 or 100 feet, opposite the cornfield?

A. I had not got to the woods when he was coming up the road — I had not got in the woods then.

Q. He went on up to the open cornfield?

A. He went up the road past the road I turned off.

Q. Didn't you state that he came to an open cornfield?

A. I went across one cornfield and he went across the other.

Q. You had to go some ways down the road before you got into the cornfield, didn't you?

A. This is two different cornfields. I took the short cut by the barn in a little road — there is a path that goes that way — the road goes behind the barn and there is a cornfield there.

Q. You mean behind the barn?

A. One cornfield is behind the barn.

Q. That's the one you crossed?

A. No, sir, I didn't cross that field.

Q. Did you cross the one next to the road?

A. No, sir.

Q. There is a tobacco barn there?

A. Yes, sir.

Q. Did you go in front of the tobacco barn?

A. I went in front of it in the path.

Couldn't See Him

Q. When you passed the tobacco barn, do you know where he was?

A. No, sir, because the woods were there.

Q. You couldn't see him at that time?

A. No, sir, because the woods were there.

Q. Now, who was down there? What were you carrying?

A. A hoe.

Q. Carrying water or anything?

A. No, sir.

Q. You were going to help your brothers?

A. I was going to the field to work.

Q. You had two brothers there?

A. Yes, sir .

Wearing Dungarees

Q. Would you mind stating to the court how you were dressed?

A. I had on dungarees and a shirt.

Q. What did you have on your head?

A. I don't know what kind of hat you would call it — it is a terrapin shell hat.

Q. Looks very much like a boy's hat?

A. Yes, sir.

Defense

Q. Right much travel on that road there, isn't it?

A. Sometimes.

Sat. 8-14-61

Q. You didn't see him anymore? How far did you say he went in the cornfield?

A. I don't know how far the tracks were there.

Q. As far as from here to the street?

A. Not that far.

Q. And he parked his car on the right hand side of the road?

A. Yes, sir.

Q. Crossed the road and went

Q. And before he stopped the car, was he looking straight at you?

A. Yes, sir.

Q. He didn't take his eyes from you? Didn't he lean back in the car, stick his head over the side looking at you?

A. He wasn't looking at the road — if so, I didn't see him.

Q. How far would you say he followed you across this cornfield that you say he was crossing following you?

A. He wasn't following me. There is a little road and a path that goes through the cornfield from the road he went down, it's about fifteen or twenty feet or something like that, and I cut through the short way.

Q. And you beat him down?

A. Yes, sir.

27h(1) 1951 North Carolina

8320

Post-Herald
Thurs 5-17-51
Birmingham, Ala

27h (1) N.C.

AP

CHILD ATTACKED, MOTHER SLAIN—Four-year-old Diana Maxwell was wounded by an unidentified assailant who killed her mother, Mrs. Howard Maxwell, in their home at Charlotte, N. C. Bandage covers a cut on the little girl's head. She sits on the lap of her grandfather, J. A. Johnson. Diana ran naked a quarter of a mile to her grandparents' home and told of a Negro man attacking her and mother. Mrs. Maxwell, an expectant mother, was found dead with her throat slashed.

27h(1) 1951 Ohio

8313

Beaten, Left For Dead After Rape

Defender

Def 11-3-51

Socialite Cleveland Couple Face Jail Terms For Attack

CLEVELAND, Ohio. — One of the most sensational cases ever to reach the local courts opened here Friday when a 43-year-old former insurance company manager and his wife, Muriel, 32, were given preliminary investigation on charges of attempting to kill a 19-year-old baby-sitter.

The girl whose identity was withheld by police was found battered, hysterical and completely nude, on a highway 145 miles from Cleveland. She was taken to the East Liverpool, Ohio, police station. She told police officers there and later in Cleveland this weird story:

Ohio

That Louis Kirven, a railway mail clerk who was once assistant manager of the Great Lakes Insurance company's Cleveland office, had raped her three times the week before the attack and that his wife Muriel had discovered it.

27h(1)

The two Kirvens came to her house Sunday night she charged and lured her into their car. Then, she said, began a wild ride during which the couple beat her until she was nearly unconscious.

Defender

She 'played dead' she told police before they reached the Ohio river at East Liverpool, where she thinks they had intended dumping her body.

Mrs. Kirven, the girl related, reminded her husband that the body would float, so they decided against the river. Kirven, the girl reported, ripped off all her clothes, then tossed her in the woods thinking her dead. She staggered to the highway after they left and flagged a passing motorist.

Def 11-3-51

Cleveland police arrested the Kirvens Tuesday and charged both with assault to kill.

Brought into Municipal Court Friday for a preliminary hearing, Mrs. Kirven fainted and caused a furore in the packed courtroom. Kirven was placed under a $5,000 bond during the continuance of the case and Mrs. Kirven placed under $500.

In statements to police Kirven indicated that his wife was to blame for the attack on the girl. Mrs. Kirven claimed that "Louis made me do it." So great were his 'powers of persuasion,' the police charge, that the baby-sitter was induced to return to work even after the rape incident.

27h(1)

Kirven is said by police to have once been a member of the Washington, D. C. police department and to have been discharged on sex charges. He married his socially-prominent wife there, and later moved to Cleveland.

Ohio

In Cleveland he was the representative of a brewing concern then later moved into the insurance field. He became assistant manager of the Cleveland office, and had been rumored in line for a crack at managing the company's affairs in a large down state area.

Mrs. Kirven until this week was a psychiatric social worker at a Cleveland hospital for the insane.

The baby-sitter's mother had learned only a week earlier that her son had been killed in Korea.

27h(1) 1951 Oklahoma 8321

Nailing a 'Rape' Story

27h(1)

Tulsa, Okla. Eagle 6-14-51

A fifteen-year-old white girl told a malicious falsehood last week that might have caused no end of trouble but for prompt, painstaking and honest work by members of the Tulsa Police Department. The girl charged two Negroes with rape. The police investigation disclosed that after cohabiting voluntarily with two white youths she conveniently turned her escapade into a rape story to forestall a reprimand she was expecting from her grandmother for being out late.

The "black-man-raped-me" accusation is peculiar to America. More specificially, it is peculiar to the Southern States where slavery was carried to its highest peak in this country and where the worst phases of the Civil War were fought. Natives of the West Indies and natives of islands like Mauretius, in the Indian Ocean, and the natives of Africa have assured this writer during his travels that the white woman versus black man rape accusation is practically unheard of. It may be pertinent to point out that whites are a minority in all of those areas.

Men have died at the hands of mobs in this country on the word of white women that "a Negro did it." In too many cases the accused was abandoned to the mob by cowardly law-enforcement officers who made no attempt to check on the stories told by white women.

This very city was plunged into a bloody race riot in 1921 on a wave of rumors. An investigation, carried out, after much of the Negro community had been burned out, resulted in findings that a Negro had jostled accidentally against a white woman in an elevator.

All of the above serves to point up the honest and painstaking police work that went into this recent case. The girl's story was checked and double-checked, and one falsehood after another was nailed until the truth finally came out. The Oklahoma Eagle, on behalf of Negro residents of Tulsa, takes this means of expressing appreciation to the members of the Police Department who handled the case.

27h(1) 1951

Texas

8319

Charge Filed In Raping of Woman, 70

Morning

Odell Toliver, a muscular, 0-year-old Negro, was charged Monday with the rape of a 70-year-old Highland Park woman.

The wealthy widow allegedly was raped last Saturday in the dining room of her home after she had let Toliver inside to use the telephone.

Toliver lives with his wife in the servant quarters of the woman's house, although only his wife works there.

Dallas

Rape charges were filed by Highland Park Detective H. W. Brown with Asst. Dist. Atty. Newton Fitzhugh for Justice of the Peace John Baldwin's court.

Highland Park Chief of Police W. H. Naylor said the attack occurred at about 7 p.m. Saturday when the suspect entered the house to use the telephone.

She told Naylor that the man grabbed her and tried to place a cloth over her mouth, then threw her to the dining room floor and raped her.

8-17-51

The suspect promised to let her go if she gave him $500 and a new automobile. She did so and he walked out the rear door and went to his garage apartment.

The elderly woman, who was badly bruised about the throat during the attack, ran outside onto her front lawn and hailed a passing squad car driven by Patrolman Frank Wiser.

Wiser and Officer A. C. Hubbard arrested Toliver minutes later in his servant quarters and placed him in county jail.

The woman was still under treatment Monday at Baylor Hospital. The hospital's head nurse said she could not give out any information on the woman's condition.

8322

Woman Tells Police 5 'Men' Assaulted Her

Man, 3 Boys, 17, One 14, Accused; Recalls Martinsville Infamy

RICHMOND

A 25 - year - old white woman, jailed as a person of ill fame, has accused four youths and a man of criminally attacking her in what resembles the famous and shameful Martinsville Seven case.

The "Richmond Five" are Moses Daniels, 25, 1200 block Dance St., Edward Watson Jr., of the 1000 block W. Cary St., Lawrence Barbee of the 1400 block Idlewood Ave., "Red" Hughes of the 1000 block Idlewood Ave., all 17 years old; and a 14-year - old boy, Alfred Holmes of the 1300 block Idlewood Ave.

The youths will answer the charge in Juvenile Court Thursday, while Daniels is slated to appear in police court the following day.

Woman Faces Charges

The woman, Miss Nylos P. Jones of the 400 block N. Seventh St., now held under $[illegible] bond, will face ill fame charges at Friday's hearing.

According to Det. Sgt. C. L. Brown, the five were arrested following a tip by an anonymous phone call. Watson was the first picked up.

The investigation was launched after police came upon Miss Jones and Waters about 10 p.m., July 25, down near the extreme south end of Harrison St.

Both Drinking

Detectives said that the woman's clothes were disarranged and bloody and that both parties had been drinking. They were arrested and the charges were placed.

The following day in police court, their case was continued while police investigated the woman's story that five men had attacked her.

The original police report made no mention of youths being involved, that is why many citizens were skeptical when the juveniles were charged with the alleged crime.

Her Story

Miss Jones told police that she and Waters had gone down on Harrison St. to get a pint of whiskey. After making the purchase, she said, they went into what is known as "the jungles" to take a drink.

While there, she told police, "five colored men" jumped on Waters, knocked him out and caught her as she attempted to flee into the street.

They dragged her back into the bushes, Miss Jones charged, and there they attacked her. Police quoted her as saying that she asked the "second man" not to touch her and that he responded by taking her shoe off and beating her across the head. Police say that this may justify the blood found on her dress.

No Evidence

The original police report stated that doctors at MVC reported no physical evidence of criminal assault.

However, detectives said, this week, that a microscopic report from the coroner's office showed that the woman had had relationships.

Howard H. Carwile, liberal, crusading attorney, who is representing all of the defendants excepting Watson, told the AFRO that his clients "emphatically deny" the charges.

No Confessions

"Contrary to all existing rumors," he said, "none of those I represent have signed any kind of confessions." It had been rumored that three of the youths had admitted the act.

With the mass executions of the seven men from Martinsville still fresh in the minds of Richmonders, civic leaders are keeping close tabs on the developments in this case.

The men from Martinsville were executed in February after being convicted of criminally attacking a white woman.

Other Cases

Since that time, two white Virginians have been acquitted of assault charges involving colored women; a white cabbie from Petersburg who admitted having relations with a 30-year-old matron is serving a 10-year-jail sentence; a 29 year old Farmville man is awaiting trial in the alleged assault of a 12-year-old girl; and in Goochland County, last week, a 17-year old white boy was charged with attempting to molest a 13-year - old girl.

8323

Another "Martinsville" Frame-up In Making In Virginia

Five Negro Youths Arrested in Richmond on False Rape Charge

New York, N. Y.—"Another Martinsville-style frame-up of innocent Negroes is in the making in Richmond, Virginia," the Civil Rights Congress charged yesterday in a nation-wide appeal calling for an immediate barrage of telegrams to Gov. John Battle, State Capitol, Richmond, demanding he move to stop the frame-up of five innocent Negro youth—the "Richmond Five."

The Negro youths, four of them in their teens, are charged with a July 25th "rape" of a [illegible]-year old white woman. They will be arraigned this Wednesday and Thursday, Aug. 9-10.

The woman and her white male companion, Alvin Waters, were on a drinking spree the night of the alleged "rape".

Doctors at the Medical College of Virginia, who examined the woman, announced the next morning that no evidence of rape was apparent.

Richmond police arrested the woman and Waters on the charge of being "persons not of good fame."

Yet the woman's charge of "rape" has led to the arrest of the five Negro youth—Moses Daniels, 25, Edward Watson, 17, Lawrence Barbee, 17, Alfred Holmes 16, and Red Hughes, (age not known).

In its national appeal, the Civil Rights Congress declared, "The people of the United States, both Negro and white, must act now to stop the frame-up of the 'Richmond Five' to avert another 'Martinsville-style' legal lynching in Virginia.

"Every trade union, every Negro organization, every civil liberties group, and every democratic-minded American must wire Gov. Battle immediately. The frame-up machinery of government in that Jim Crow state must be stopped by the people before its plot to murder five more innocent Negro youth goes any further."

The CRC continued, "White Americans both in the North and South must join their Negro Bros. to end this newest manifestation of anti-Negro terror. Let all white Americans remember that the failure of the German people to stop the terror against their Jewish brothers led to death, war and destruction for millions of Germans, Jew and Gentile."

It closed its appeal by declaring that "it is the duty of every American who wants to save democracy in our land to wire Gov. Battle before there five innocent Negro youth are arraigned.

-1951

27h(1)

27h(2) 1951

Alabama

8324

8324

Carnal Knowledge Or Rape

Editor, The Advertiser:

There appeared on pg. 6-A of the Feb. 14 *Advertiser* an article telling of a 29-year-old white man "in an incident involving a 15-year-old Negro girl." This man had had carnal knowledge charges placed against him and was released on bond. In years gone by articles have appeared with a Negro in the position of this white man and invariably the charge has been rape. We wonder if in this particular case the races of the involvees were reversed would not the charge also be rape. Will absolutely unbiased and democratic justice prevail in this case?

Rape should be called rape and rape committers should be punished to the fullest extent of the law. We are calling upon our administrators of justice to convict this rapist as Virginia did so recently in the case of the seven Negro rapists.

AMVETS, Post No. 16,
R. R. YOUNG, Commander,
Thomas W. Gray, adjutant.
3251 Mobile Rd., Montgomery.

Cullman Countian Convicted Of Rape

27h(2)

CULLMAN, ALA., Feb. 23—(AP)—A Cullman County circuit court jury Friday convicted Tommy Drake, 23, of raping a 14-year-old girl.

Advertiser Ala.

Drake's sentence was set at 10 years by the jury. He appealed and was allowed bond of $3,000 by Circuit Judge Newton B. Powell.

Sat.-2-24-51

Artis Ray, 19, awaiting trial on the same charge, also was granted $3,000 bond.

The jury deliberated about three hours.

The mother of the girl collapsed when called to the witness stand in closing hours of the trial.

"I just can't take any more," she sobbed.

The men were accused to taking the attractive eighth grader from a birthday party and raping her.

Drake pleaded innocent, and innocent by reason of consent.

Both he and Ray testified that the girl agreed to the act.

She in turn told the jury each man held her in turn while the other raped her.

Girl Willingly Went On Ride, Sisters Testify

Advertiser

CULLMAN, ALA., Feb. 21—(AP)—Two young sisters Wednesday testified that a 14-year-old girl willingly went on a ride during which she charged she was raped.

Thurs.- 2-22-51

Tommy Drake, 23, is being tried on a charge he raped the girl the night of Oct. 28, 1950. Artis Ray, 18, also is accused and is scheduled for trial later.

Ray's sisters, Phillis, 15, and Myra, 17, testified they rode to a party with Ray and the girl. They said the girl asked to go with Ray to pick up Drake.

The girl previously had testified that she had been forced by Ray to accompany him. She told the jury that, after they picked up Drake, each held her while the other raped her in the automobile.

27h(2)

She said she fought and scratched them, screamed for help and blew the automobile horn.

Ala.

The defense presented witnesses who said they lived near the lovers' lane where the girl claimed she was attacked. They testified they heard no outcries or a horn.

Earlier, Drake's wife, Betty May, 18, told the court her husband was missing "an hour or two hours" from the party but said he bore no scratches or bruises on his return.

Green Is Held In Rape Charge

27h(2)

A white man was jailed here Thursday on a charge of raping a Negro girl, and attorneys promptly sought his release through a court order.

The petition for a writ of habeas corpus was filed shortly after Samuel E. Green, 29-year-old grocer, was arrested on an indictment returned by the Montgomery County grand jury last Friday.

Fri Ala.

Green was charged with raping Flossie Mae Hardmon, a maid who worked in his home. City detectives who arrested him Feb. 13, two days after the girl said she was attacked, had booked him on a carnal knowledge count, but the grand jury indicted Green on a rape charge.

2-23-51

The grocer was taken into custody by sheriff's deputies when he appeared in city court Thursday to answer the carnal knowledge complaint.

Ala.

Because Green was not arrested in time to be tried at the current term of circuit court, he was ordered held in jail without bond until the next term, probably in about three months.

But attorneys quickly filed the habeas corpus petition, and Acting Circuit Judge James J. Carter set it for hearing at 2:30 p.m., today.

Maximum sentence on the carnal knowledge charge originally filed by city officers is 10 years in prison, but the rape indictment carries a possible death penalty.

Before Green was arrested, his grocery caught fire Monday night, and city inspectors and a deputy state fire marshal reported to Chief R. L. Lampley Thursday morning that the blaze was deliberately started.

They said they were unable, however, to find out who did it.

The grocery is located across the street from the home of the Negro girl who made the rape complaint.

Parents Balk Mobile Trial

Courier

Sat. 3-24-51

MOBILE, Ala.—The trial of a 25-year-old white man, who is charged with committing a crime against nature with a 5-year-old colored girl, was postponed until June when parents of the child objected to the case being tried on an assault and battery charge.

Robert C. Westphal, who was pointed several times by little Cleo Patricia Simon, as the man who lured her into a Catholic Church where he was working to force her into the act, had his trial reset Wednesday.

Montgomerians Aroused

Girl's Charge Holds Grocer

Courier

27h(2) Ala.

MONTGOMERY, Ala.—Samuel E. Green, 29, a white grocer in the all-Negro neighborhood of Panama Street, last week was being held in jail without bond on a charge of criminally attacking a 15-year-old colored girl who worked for him. The alleged attack took place on Feb. 11.

Green was arrested on Feb. 13, two days after the girl said she was attacked. Authorities charged him with carnal knowledge for which highest possible penalty is ten years imprisonment.

Sat 3-3-51

But later a grand jury returned a rape indictment on Feb. 16 which carries a maximum penalty of death. Green was picked up by county authorities on Feb. 22 when he appeared in City Court to answer the carnal knowledge charge. He was placed in jail without bond.

Pittsburgh Pa.

RELEASE SOUGHT

His attorneys sought Green's release by habeas corpus proceedings. Green's arrest did not come in time for his case to come up in the current court session. The next court term is three months off.

The girl charged that the grocer forced himself on her twice after he took her in his car to ride home with him. She reportedly told authorities he forced his wishes on her at gun point. She had to have hospital treatment.

Feeling has been high among citizens, Negro and white, who have denounced action, and letters to newspapers condemned the silent treatment being given the alleged crime.

The girl lives across the street from the location of Green's store. Atty. M. Ashley Dickerson, a woman lawyer in this city, has been retained as special prosecutor.

Girl Raped Four Times In 4 Days

Defender

PRATTVILLE, Ala.—A 16-year-old girl has accused a 62-year-old white man of raping her on four successive days in his home, where she kept house while the man's wife was away.

Sat 7-28

The girl, [illegible] Corbin, accused Warren H. Brabham or raping her on July 8, 9, 10 and 11.

Brabham has been arrested and is being held in Autauga County jail.

27h(2)

Conviction of rape is punishable by death in Alabama. However, no white rapist ever has been executed under that statute.

White Man Charged With Raping Girl

27h(2)

7-30-51

PRATTVILLE, Ala. (SNS)—Sixty-two year old Warren H. Brabham, white was in the Coosa County Jail charged with raping a sixteen-year old Autauga County girl.

The girle charged that Brabham raped her at his home on July 8, 9, 10, and 11.

Two men arrested, accused in assault

Two Atlanta construction workers are in Jefferson County Jail today charged with raping a 19-year-old Williamsburg, Va., girl. The men had worked on the new City Hall job here.

News

Milton Ellis and Robert Frank Strickland, were arrested early today by county deputy sheriffs and Birmingham police after the girl complained she was forced into a car in downtown Birmingham last night and raped as the car sped along the highway.

2gh(2)

3-13-51

Officers said the girl was on her way to Parrish, Ala., to meet her husband. She got off a Greyhound bus in Birmingham and was going to another bus station to catch a bus to Parrish when the two men allegedly forced her into their automobile.

Birmingham Ala.

About three hours later, at 1:30 a.m., she jumped from the car near Dutch's Tavern on U. S. Highway 11 and called for help at a nearby house. Officers said the automobile in which she and the two men were riding, had gone off the road into a ditch.

Ellis was arrested in a downtown hotel by deputies at 5:30 a.m. Strickland was picked up by city police on a drunk charge. They were booked on charges of rape.

Investigating are Deputies Floyd West, C. O. Hames, Jr., and J. L. Boggan. Highway patrol officers assisted in the search for the two men.

Danger of Riot Cited

Unrest Follows Charge of Attack By White Man Against Negro Girl

Widespread unreast has been noted in the neighborhood or 733 South Union Street following the arrest of a white grocery store operator, Sam Edwards Green, on a charge of having carnal knowledge of a fifteen year old Negro girl.

2gh(2)

Green, booked to appear Friday for preliminary hearings in the Montgomery Police Court, is free under $5,000 bond.

Montgomery Advertiser

Folowing his release, it was reported that Green and several friends stood "manacingly" in front of the girl's house. The family asked [illegible] protection and reported difficulty in securing it.

Ala.

The following day a group of Negro veterans, waving posters calling for justice in the case, paraded in front of the girl's house. They also expressed a decision to guard the house against any attack from the man she had accused of attacking her.

2-22-51

Punishment Asked

Leaflets were distributed among Negros in the neighborhood informing them of the alleged attack and asking that they join in an effort to see the accused man punished.

Montgomery Ala.

Police ordered veterans to remove their posters and to break up crowds surrounding the house. They cited the danger of inciting a riot as reason for ordering the dispersal.

Police patrols in the area were increased.

Monday night a small fire broke out in the rear of a grocery store operated by Green in the Union Streen neighborhood. Cause of the fire, which did slight damage to a rear wall and a roof, was undetermined. The store is owned by Watkins Harmon, a Negro, and is under lease to Green.

No stock inside the store was damaged.

Green is accused of attacking a Negro girl employed by him as a baby sitter. The attack is alleged to have taken place February 11 while Green was driving the girl home.

Admit Relations

Detective Captain Lewis Miller reported that Green, when arrested, admitted having relations with the girl but denied he had forced himself upon her. He was charged with having carnal knowledge of a minor.

The girl reported that, following the attack, Green drove her home and warned her not to tell anyone what had happened. He gave her a dollar, she said and instructed her to put it in her shoe.

She reported the incident to her parents at once and a medical examination was made immediately confirming her story.

Green, thought to be out of town, has been unavailable for comment.

Manhunt Here Follows Rape Of Woman, 55

Advertiser

Young Negro Sought; Victims Suffers Head And Shoulder Injuries

8-7-51

A 55 - year old [illegible] grandmother was assaulted and raped in her Capitol Heights home Monday afternoon by an unidentified Negro, according to Police Detective Lt. E. O. Ryals.

2gh(2)

Within a short while after the police received the report from a daughter of the woman who had gone to her mother's home to see her, all police cars were alerted for a manhunt which police say was the largest one organized here in recent years.

Bloodhounds from [illegible] prison led sheriff's deputies and police through the downtown streets, where they lost the scent on Monroe Street, at the rear of a five-and-ten cent store.

Immediately after the manhunt started, the sheriff's office offered a reward of $100 for the apprehension of the rapist. Another reward offer of $100 came from G. W. Dean, and Ed Branch, Jr., a lawyer, added $25 to the voluntary fund.

15 Questioned

During the first [illegible] after the alarm had been sounded, 15 persons were questioned, but only one was held for further questioning and booked on suspicion.

According to Dectective Captain Lewis Miller, the victim of the rapist told police the unarmed Negro entered her home through an unlocked door and surprised her as she was sitting in the living room. A few minutes later, the woman's daughter encountered the Negro as he was leaving the house, Miller said. When the daughter spoke to the man, Miller said, he fled across a school yard.

The living room of the home police say, gave evidence of a struggle. At a hospital where the woman was taken in an ambulance, the family physician stated after an examination that the woman not only had been raped but that she had suffered a broken shoulder, head injuries and shock at the hands of the Negro rapist.

According to Ryals, the police are investigating every tip. Early Monday night a bus driver told police that a nervous Negro who, he said, answered the description, had boarded his bus. A half hour later the bus was stopped on the Birmingham highway by state highway patrolmen. The suspect was taken off and brought back to the police headquarters here. Police, however, said that he did not answer the description.

A week ago Monday, Ryals said, a 31-year-old white woman in the same neighborhood reported a similar assault which she said took place just after dark. Police are still investigating that case. However, there was no indication whether police believed there was any connection between the two cases.

Young con is accused of assault by housewife; trial continues

TUSCALOOSA, Ala., Aug. 15—(AP)—The trial of a teen-age convict accused of raping a 40-year-old housewife entered its second day today.

News

Speaking quietly but tensely, the victim yesterday testified that Fred Noe was one of two prison fugitives who criminally assaulted her last June.

8-15-51

Noe was listed on Draper Prison records as 19, but his mother said yesterday he was still 15 at the time he was accused of the attack.

Birmingham

* * *

NOE IS THE SECOND of three convicts accused of breaking into the housewife's home during a three-state flight that ended in Delhi, La., where they were captured.

Ala.

Charles Campbell, 23, was sentenced to death Monday on a rape conviction. Johnny Mack Rogers, 17, charged with robbery, is yet to be tried.

The defense lost an attempt to have a mental examination for Noe before his trial started yesterday.

Mrs. Ola Mae Noe, Detroit, testified that he was only 7½ years old when he first was sentenced to reform school. She also said her son suffered a fractured skull three and one-half years ago.

2gh(2)

The rape victim testified the three escapees broke into her home while she was bathing.

SHE SAID NOE threatened to attack her while he was guarding her and her 10-year-old son, Ray.

The housewife told the Circuit Court jury that she begged Noe not to rape her in front of the child. The convict took the boy into a bathroom and tied him up before assaulting her, she testified.

Ala.

Defense attorneys were overruled when they asked Circuit Judge Reuben H. Wright to delay the trial to give them more time to prepare their case.

State prison records showed Noe was sentenced to three years for a burglary conviction Feb. 5.

8325

White Alabamian Confesses Raping Two Colored Girls

27h(2)

SELMA, Ala.—Chief of Police Ed Mullen said Monday that a 27-year-old Selma white man has confessed to raping two young Negro girls whom he hired on the pretext they were to work as baby-sitters.

Daily

The alleged rapist was identified by police as James L. Sewell who, after being held in the City jail is scheduled to be arraigned on rape charges before Recorder's Court Judge William B. Craig today.

11-6-51

According to Police Chiew Mullen, the 13 and 18 year-old girls were assaulted last month, one on Oct. 27 and the other on October 30. While police were investigating the first case, the other alleged offense was reported, Chief Mullen said.

27h(2)

Atlanta, Ga.

The police said Sewell talked to the girls at different times and asked them to report at a non-existent trailer home to work as baby sitters. When each arrived at the address he gave, he took her to a field, explaining that he was showing her a spring from which his family obtained water, Chief Mullen continued.

27h(2)

The alleged assaults took place in the field.

27h(2) 1951

California

8326

Burglar Rapes Woman As Baby Sleeps Nearby

27h(2)

Playa Del Rey, Cal., July 5 (AP)—While her baby slept beside her, a burglar robbed and raped a doctor's wife in their home early today, police reported.

They identified the victim as Mrs. Frances Kupers, 34. Her husband, Dr. Robert Kupers, was at a hospital at the time.

Five other children of the couple slept through the attack in nearby rooms. Mrs. Kupers said she was bound and gagged during the assault and that the burglar took [illegible] from her purse before he departed.

Raped by Six To Save Girl, Woman Says

Det. 7-21-51

27h(2)

SOUTH SAN FRANCISCO, July 20—(UP)—A 24-year-old woman said Friday she submitted to rape by six youths following a downtown San Francisco dance to protect her 18-year-old companion, a virgin.

Five of the youths, aged 18 to 20, are being held in the city jail where formal charges of rape will be brought against them by the district attorney. The sixth is still being sought by police.

They offered to take the two women home Sunday night from the Casanova dance hall on Market St., according to Police Chief Louis Belloni, but drove them instead to the rear of a paint plant here.

The six began to molest the young girl there, and she protested, finally beginning to cry and scream in fear, Belloni said. The older woman then told the youths she would submit to them all if they would leave the girl alone, and she did, the chief said.

27h(2) 1951 D.C.

8327

[illegible]ist Slays Self, Ending Hunt By 500

Post

men

Body of Criminal, Who Kidnaped D. C. Girl Found in Poison Ivy Path in Jersey

7-2-51

The rain-drenched body of killer-rapist Warren Lee Irwin, 27, was found yesterday in a patch of poison ivy near Flemington, N. J.

27h(2)

State police said he had killed himself by firing a .38 caliber bullet into his left temple.

Discovery of the ex-convict's body ended one of New Jersey's greatest manhunts since the Lindbergh case and a spree of crime for Irwin that trailed from Michigan to the East Coast.

Irwin made good his boast, "They'll never take me alive."

Fled Police on Saturday

He was found about a half-mile from the spot where he fled police Saturday afternoon, abandoning Carolyn Barker, 17-year-old McKinley High School senior, whom he kidnaped Thursday night in Washington and held captive for 42 hours.

She said he raped her six times.

Brought back to Washington early yesterday, the pretty young girl was placed immediately in Gallinger Hospital. Authorities said she was still "very upset" and would not be told of Irwin's suicide at this time.

Five hundred grim men, hampered by heavy rains, threshed through the wooded area where the scar-faced fugitive fled police throughout Saturday afternoon and night.

Blood Ran From His Nose

Irwin's body was finally spotted about 1:30 p. m. yesterday by two volunteer observers in a Piper Cub plane, one of a number of planes used in the hunt.

It was flown by Arthur L. Bosn, 22, and Joseph Narducci, 31, both of nearby Lambertville.

They were flying at 300 feet when they spotted his light colored T-shirt. They dropped to 50 feet to be sure they had found Irwin, then notified state police.

He was lying face up along a barbed wire fence. His shirt and blue trousers were soaked from an all-night rain. A dried trickle of blood ran from his nose.

There was $2 in small change a dozen bullets, and a wallet containing a driver's license in his pocket. Four bullets remained in the chamber of his snub-nosed gun, found by his left hand. His thick, rimless glasses and a straw hat were near his left foot.

Police estimated he had killed himself sometime between 11 p. m. Saturday and 1 a. m. yesterday.

Post

He was found on the farm estate of former State Senator Arthur Foran, father of movie actor Richard Foran. The spot was close to a dirt road, heavily traveled by searchers. It was only 300 yards from the place where the FBI had set up a night guard post Saturday night.

Darted Through Woods

Sam McKee, head of the Newark office of the FBI, said Irwin, after darting through the woods, apparently had doubled back when the searchers, abandoned the spot where he first fled.

State police said he must have come out of the thick brush during the night, saw the crowd of armed men hunting him with bloodhounds and at the huge searchlights, then shot himself.

7-2-51

The body was taken to a Flemington morgue.

Washington

To Lawrence Gilbert, 19-year-old fiance of Miss Barker, who had been forced to watch when the gunman first raped her in Falls Church, Va., Thursday night, it was a fitting end for the vicious criminal.

"I'm glad it ended that way. At least Carolyn won't have to go through a trial," he said.

Lawrence could not visit her at the hospital because of her condition (only members of her family were allowed to visit by special permission) but he vowed his love and had this to say of their marriage.

"Next June—that's when it was gonna be and that's when it will be."

Ordeal Started Thursday

Post 7-2-51 Washington D.C.

27h(2) DC

Associated Press WIREPHOTO

W. R. Barker of Washington comforts daughter Carolyn

Asked if he thought Carolyn felt that way too, he replied: "Well, she wanted to marry me before this thing happened and I'm sure she still does."

The terrifying hours with Irwin began for the young couple about 8 o'clock Thursday night, just minutes after Gilbert had given Miss Barker an engagement ring, as they sat in his car on the Mall in Washington.

27h(2)

Armed with the .38 pistol, Irwin jumped into the car, forced Gilbert to drive to Falls Church, and there raped the girl in Gilbert's presence after she had bound Gilbert's wrists with adhesive tape at the gunman's command.

Later, the three walked to a nearby gas station, where they had soft drinks. The young couple said later they were afraid to make an outcry, because Irwin had threatened to kill the girl if they did.

Gilbert Warned

From the gas station, they walked along Lee hwy. to Old Dominion rd. in Arlington, where Irwin ordered Gilbert to start walking back to Falls Church, Irwin and the girl boarded a Washington-bound bus. His parting words to Gilbert were:

"Don't notify anybody about this before 24 hours or I will kill the girl."

Gilbert walked back to Washington, slept several hours in a service station and then stopped at the Twelfth Precinct station, where he told the story, at 8 a. m. Friday.

Meanwhile, according to the girl's story after she was rescued in New Jersey, Irwin took her to a cheap hotel in Washington, where he raped her four times and taped her wrist to his so she would not escape while he slept.

Friday morning, he pawned her engagement ring and a wrist watch he had stolen from Gilbert, and used the money to get the two of them to Doylestown, Pa., by bus.

Stole Uncle's Car

There he took her to a movie. Then they walked to the home of his uncle and aunt, Mr. and Mrs. George Brewer, in nearby Warrington. He held them at gunpoint through the night, while Carolyn slept, and then stole their car.

When he and the girl got outside Doylestown, he pulled into a cornfield and raped the girl again.

"He trie to kiss me first. When I cried and tried to push him away, he slapped my face," she told police after her rescue.

Irwin took a nap, then drove across the Delaware River into New Jersey.

On U. S. 202, near Flemington and about three miles north of Lambertville, they ran into a road block. The state troopers gave chase as Irwin sped down the road. He finally ran into a ditch, and left the car, fleeing into the woods.

Father Goes to Scene

The hysterical girl was taken to state police barracks at Flemington, where she later told her story of terror to police and newspaper reporters. Her father, William R. Barker, sr., of 40 Rhode Island ave. nw., and Mr. and Mrs. Erwin Wade, with whom she has made her home at 6315 Taylor rd., Riverdale, Md., since the death of her mother several years ago, were taken there by the FBI. They brought her home about 6 a. m. yesterday.

Irwin's career of crime began as a boy, when he stole money from his mother. Hisfather, Carl Irwin, a postal clerk, committed suicide in an Omaha, Neb., jail where he was waiting trial for theft from the mails in 1934.

Young Irwin's first offense as an adult was car theft in 1941. He was sentenced to two to five years in Detroit and was paroled a year later.

In 1943, he was sentenced there to 7½ to 22½ years for burglary. While waiting this sentence, he also was charged as a sex deviate and received a five to 15 year concurrent sentence.

Released on Probation

An April, 1950, as was released from prison on probation for three years.

Last month Irwin was charged ith the murder of Mrs. Adeline hagena, 37, mother of three hildren, in Oxford, Mich. Eleven ays later he kidnaped Miss Doris Myers, 43, a friend of his mother.

He forced her to drive him from Detroit across Michigan, Ohio, Indiana, Illinois and Iowa. She eluded him at Durant, Iowa, after a 15-hour ride.

The FBI, which also wanted him for questioning in the hold-up-slaying of gas station attendant Robert Jahnke, 24, near Detroit May 31, trailed him from Durant to Chicago, where he had flown by chartered plane.

They lost the trail there. It was not known how long he had been in Washington before he accosted Gilbert and Miss Barker and started his final spree of crime.

G-Girl's Screams Rout Rapist From Her Bedroom

A 38-year-old Government employe, separated from her husband, told police yesterday a man entered her bedroom while she slept about 1:30 a. m., raped her and escaped when she awoke and screamed for help.

27-K (2)

After she was taken to Gallinger Hospital for an examination and treatment for shock, the woman said she was not certain she had been raped. Hospital attendants said results of chemical tests would not be available until today.

Post D.C.

The woman told police she had been feeling unwell and took some sleeping pills before going to bed, and awoke to find the man in bed with her.

7-21-51

She said the man told her, "Don't make any fuss. I've done this before. If you scream, I'll kill you."

Washington, D.C.

He suggested that she closed the door between the bedroom and hall, whereupon she ran down the hall calling for help, she said, according to police. The man then fled.

She told police he apparently had climbed in a bathroom window, crossed the hall and entered her room through a door left open because of the heat.

Pvt. William P. Younge, of the Fifth Precinct, a neighbor of the woman on 19th st. nw., said he heard her scream. He looked out his window and saw a man jump from a garage roof and run down an alley.

Younge and another neighbor, Alfred Peterson, gave chase, but the man escaped.

Police broadcast a lookout for a darkskinned ~~Negro in~~ his early 20's, about 5 feet, 9 inches tall, weighing 140 pounds, and wearing a maroon shirt and dark trousers.

Rape Claim Holds Man Without Bond In Prince Georges

27-K (2)

Post D.C.

The wife of a soldier now stationed in Korea told Prince Georges County police yesterday she was raped by a District cab driver on a lonely county road near [illegible].

Police booked Taylor Solomon Dixton, 31, of [illegible]108 Grant st. ne., for rape and held him without bond pending preliminary hearing Monday in Hyattsville Police Court.

The 32-year-old wife, a clerk, told police she was assaulted on Sherriff rd, in Fairmount Heights.

Assailant Trapped By Woman Gets 5-15 Year Term

Evening Star

A 21-year-old man yesterday was sentenced to 5 to 15 years in prison for assault with intent to rape a woman who later led the would-be attacker into the arms of police.

7-21-51

District Court Judge Richmond B. Keech sentenced Leon R. Taylor, colored, of the 1600 block of Corcoran street N.W., who was accused by his intended victim of leaping into her car, threatening her with a knife, and cutting her clothes.

Washington D.C.

The woman, who is white, parried Taylor's demands by suggesting they go to her apartment. She believed her husband and a friend were waiting for her there.

Meanwhile, a search had started, and a policeman, asked for help by the friend, spotted Taylor and the woman walking toward the apartment. Taylor started to run, but was quickly caught.

Woman Accuses Off-Duty Officer

27h(2) LOC

Charges Ex-Marine Forced Way Into Her Apartment, Attacked Her

WASHINGTON

Nursing an aching body and bruised arms, a 130-lb. woman related a harrowing experience of how she disarmed and whipped a 165-pound off duty policeman who she says attacked her after forcing his way into her second floor apartment early Tuesday afternoon.

Still nervous from the ordeal, Mrs. Evelyn Jane Reed, 32, of 1343 Corcoran St., N.W., denied that she and two men disarmed Pvt. John C. Ostrom, a 27-year-old white ex-Marine who was suspended from the police force pending police trial board action.

Afro American

Previously, Pvt. Ostrom said two men had disarmed him when he entered the apartment.

4-7-51

Six Shots Fired

Mrs. Reed, who said she is resident-manager of the building, told of wresting the officer's gun from him during which six shots were fired in a terrific struggle.

She pointed out two bullet holes in the wall of her small apartment, and one in the floor where the bullet had gone into the apartment below. Two other shots lodged in the hallway wall and one in the steps leading to the third floor.

Officer Is Married

Pvt. Ostrom, married, whose address was given as 1405 Glendale Terrace, Alexandria, Va., was treated for severe head cuts and for a bite on his forefinger at the Emergency Hospital.

Although it was not reported in the daily papers, Mrs. Reed said Pvt. Ostrom, who on sick leave, admitted to his superiors at the station he had had a highball and a beer before going to her apartment.

Had Known Him 2 Years

Showing the AFRO blood-stained walls, a bed and chair in her room where the struggle took place, Mrs. Reed said she had known Pvt. Ostrum about two years but not personally.

As resident-manager, she said she had called the police to the building on several occasions when the previous tenant became noisy and boisterous. Pvt. Ostrom was among the several officers answering the call and she knew him that way.

Denies Asking for Him

She said she had called the precinct but had never asked for Pvt. Ostrom, as was reported, to give him some "information."

She gave the AFRO a written account of her encounter with the officer. It was the same story she told officers at the 2nd Precinct where she went voluntarily after the commotion. She was released without charge.

Alone in Apartment

"About 1 p.m. Tuesday, March 27, I was alone in my apartment lying down across the bed when there was a knock on my door. I opened the door and a white man was standing there.

"He came into the room and started pulling on me. I said, 'You go.' He walked outside the door and I locked it.

Thought He Had Gone

"I went back and lay down on the bed and began looking at the newspaper. I thought he was gone. I got up and dressed to go to work.

"I started to the bathroom, and as I opened the door he was standing by the fire escape in the hall. He put his foot into the door as I jumped back into my room.

"He then reached his hand into his bosom and took his gun out. I grabbed the gun and he barged into the room and began tussling with me.

Threatened to Kill

"He said, 'I am going to kill you.' While we were tussling, he pulled me out into the hall. I shot the gun once or twice in the hall. I held on to it and had in my mind to keep the gun until the police came.

"Sometime during the shooting and commotion, he threw me on the bed. He rolled me over and when I got a chance to hit him on the head with the gun I did.

Snatched Gun Back

"He finally twisted my arm and snatched the gun from me and ran down the steps."

Police summoned after the shooting about 1:30 p.m. found Ostrum bleeding in his car in a parking lot at 14th and O Sts., N.W. Captain Albert Clark of the 2nd Precinct, conducting the investigation with Inspector Archie M. Winfree, said there was no evidence Ostrom was under the influence of liquor.

He said that Ostrom weighed about 165 pounds and was fully capable of taking care of himself. He is an ex-Marine who fought on Bataan and Corregidor and was later a Japanese prisoner of war.

This was Ostrom's first offense, Captain Clark said and pointed out that his record showed three commendations from Supt. of Police Robert J. Barrett.

Will Consider Charges

Mrs. Reed, who had not filed charges against the policeman late Wednesday night, did not give indication she would. She was under the impression he had been put off the force altogether but when informed he might be reinstated following a police trial, she said she would consult her lawyer.

Fear of reprisal from Ostrom or some of his fellow officers appears to be her main concern now.

Date-Hungry Youth Held In Rape Case

Post

Jailed Without Bond On Assault Charge Brought by FBI Stenographer

27h(2)

A date-hungry Arkansas youth was charged yesterday with raping a 20-year-old FBI stenographer in a wooded area near Southern ave. se.

He is Thomas Marvin Smith of Alma, Ark., who, Prince Georges County police said, admitted having intercourse with the girl. Smith was held in Marlboro Jail without bond for arraignment Friday.

Washington Post

Smith was arrested yesterday when he returned to the scene of the assault to recover $55 he had dropped there, police said.

He was quoted as saying it was his first sexual experience. Earlier, he had called telephone numbers of women listed in the book, Washington Confidential, without being able to arrange a date. Tuesday night he decided to go looking for a girl, police said.

Complainant Married

The complainant is married to an Air Forces corporal now stationed in Newfoundland. She said she met Smith at the Riverside Stadium when he suggested they skate together.

She said she accepted his offer of a lift home on discovering that at the late hour her bus was not running.

En route, she said, he insisted on driving her into a woods just over the District Line where he stopped his automobile. She said she ran from the car but he soon caught her.

Then, she said, he drew a knife and forced her to have intercourse with him.

Visit Scene

Washington police took her to the scene where a pair of eyeglasses, a gold clip belonging to the girl and $55 were found. They called in Prince Georges County police who decided to wait for Smith's return for the money.

As they started to leave, the complainant pointed out an approaching car. The officers stopped it at 24th st. and Southern ave. se., and arrested Smith, the driver.

In the vehicle, the officers said, they found a .22 caliber pistol and in his pockets a pocketknife, which the complainant identified as the weapon brandished during the assault.

Police said Smith admitted he thought the girl would acquiesce, and when she refused, he persisted in the act.

Woman Beaten And Stripped In Md. Woods

Post

7-3-51

27h(2)

A Washington woman was in a Prince Frederick, Md., hospital today after she was found nude, brutally beaten and unconscious yesterday on an isolated road at Chesapeake Beach.

State Police said Mrs. Inez Davis, 33, 1223 N. st. nw., was a victim of attempted rape by four men who took her to the wooded area in the northeast corner of Calvert County. Officers said the woman had resisted attempts to rape her, had been brutally beaten, stripped of all her clothes and thrown from the car.

Hospital attendants yesterday said she was in fair condition. Persons at the rooming house where she lived here said yesterday that Mrs. Davis left the house early Sunday morning.

27h(2) 1951 D.C.

8330

Held on Charge of Rape

The Washington Post

BOOKED—Lieut. Ernest H. Mulligan of the Colmar Manor police force, arrived yesterday at Hyattsville, Md., Police Station with Norman R. Strait, 41, who was charged with raping a 72-year-old Maryland woman Thursday. Police said the victim picked out Strait from a lineup

Father of 2 Accused Of Raping Woman, 72

Post 2-4-51

A 41-year-old father of two children yesterday was charged with raping a 72-year-old Bladensburg woman Thursday.

Prince Georges County Police arrested Norman Richard Strait, 41, of 4705 Nicholson st., Riverdale, a truck driver, at 2 p. m. after tracking him down through a description of his car.

According to police records, Strait was convicted in April 28, 1948, of assault with intent to have carnal knowledge of an 11-year-old girl. He served 22 months of a five-year term in the Maryland House of Corrections, winning parole in February, 1950.

The accused rapist, booked at the Hyattsville police station and questioned for two hours by detectives, steadfastly denied assaulting the white-haired woman.

At 4:30 p. m. his frail, bespectacled victim was brought to headquarters and without hesitation picked Strait as her attacker from a lineup of seven men.

He was held without bond for a hearing February 19 in Hyattsville Police Court. State's Attorney Carlyle J. Lancaster said the hearing was delayed because "the victim is still in shock condition."

The alertness of two Prince Georges County men and thorough police work brought about Strait's capture.

27h(2)

Yesterday, Frederick Noone, 21, of Columbia Park, and William F. Crawford, 24, of White House Heights, contacted Police Pvt. David Dudley and told him they thought their auto had been sideswiped by a car answering newspaper descriptions of the alleged rapist's auto.

At about 5:15 p. m. Thursday, they told Private Dudley, they were driving home on Old Beaver Dam rd., near the Prince Georges Country Club—scene of the Thursday attack.

They said a dark green, late model Hudson sedan passed them from the opposite direction, sideswiped them, and sped off. Recalling newspaper accounts of the rape, they contacted Pvt. Dudley.

Dudley, Detective Richard A. Pearson, and Lieut. Ernest H. Mulligan of the Colmar Manor Police, questioned the two men, got a description of sideswipe damage of the Hudson sedan, and split up to comb the area for the car.

At 2 p. m., Lieut. Mulligan located a car matching that description in the Beaver Heights warehouse area of Kenilworth ave. Strait, he said, was standing alongside the car as he drove up.

Mulligan, Dudley and Pearson found in the glove compartment, they said, a letter addressed to the 72-year-old victim.

Noone and Crawford, who accompanied the searchers, identified the car and its driver as having sideswiped them Thursday, according to police.

States Attorney Lancaster praised the "very excellent work" of all policemen involved in Strait's capture.

Brought in to the Hyattsville Station for booking and questioning, the husky six-foot accused rapist answered questions put to him quietly and with composure.

Police gave this story of Strait's 1948 arrest: On March 4 of that year, he picked up an 11-year-old girl in the Seat Pleasant area and unsuccessfully attempted to have relations with her.

He then told her to go home and meet him at a designated spot the following afternoon. The child told her parents who notified police. Police instructed the girl to keep the date, in a wooded spot near Landover rd. and the George N. Palmer hwy.

Police arrested Strait when he arrived.

County Rape Case Goes To Grand Jury

Post 2-21-51

A 41-year-old father of two children, charged with the rape of a 72-year-old Bladensburg woman was ordered held for the Prince Georges County grand jury yesterday.

Trial Magistrate Robert W. McCullough ordered the man, Norman Richard Strait, of 4705 Nicholson st., Riverdale, held without bond after hearing his white-haired accuser tell of being attacked in a car on a lonely county road February 1.

At one point, McCullough had to leave the bench to hear what the frail woman was saying. State's Attorney Carlyle J. Lancaster told the court the woman could not speak above whisper. Strait, his attorneys and the court stenographer clustered around her throughout the hearing to hear her words.

27h(2)

The woman testified Strait gave her a life two blocks from her home as she was on her way back from a Bladensburg grocery store. She said Strait took her to a lonely dirt road and attacked her.

"I tried to scream and get out," she said, "but he forced me back on the seat."

Strait was arrested by County police three days after the attack took place and was identified by the woman from a lineup of seven men. She also identified his car as the one in which the attack took place, Detective Richard Pearson testified.

Lancaster introduced a letter and a receipt containing the woman's name which detectives testified they removed from Strait's car after he was arrested. The woman testified she had them with her at the time of the attack.

Strait was paroled in February, 1950, after serving two years of a five-year sentence on a charge of attempted carnal knowledge of an 11-year-old girl in March, 1948.

Rape Added To Charges In Bride's Kidnaping

27h(2)

Post

Fairfax County Acts; Special Arlington Jury to Hear Case Against 2 Suspects

6-28-51

A special grand jury session for July 10 was ordered in Arlington County yesterday to hear kidnap and burglary charges against two young men accused of abducting and raping a Navy ensign's bride early Tuesday.

Warrants charging rape were issued late yesterday by Fairfax County authorities, in whose jurisdiction the girl allegedly was assaulted six times by John Robert Polk, 19, and William Robert Payne, 25.

The death sentence is possible upon conviction on any of the three charges.

To Remain in Jail

Following conferences with Arlington authorities, Assistant Commonwealth's Attorney Edward Poole in Fairfax said it is likely the pair will remain in Arlington County jail, where they are lodged without bond, until the Fairfax grand jury meets July 9.

After a hearing then, they will be returned to Arlington, he said.

Polk and Payne, who talked freely shortly after their arrest, suddenly "clammed up" yesterday, police said. Polk demanded a lawyer.

Both men confessed, police reported, to abducting Mrs. Nancy McCoy Hitchkiss, 19, blonde bride of Ensign James K. Hotchkiss, from the couple's bed in Colonial Village at gunpoint.

Turned Out of Car

The terror-stricken girl, member of a socially prominent Winnetka (Ill.) family, was then raped six times during a 25-mile ride to Great Falls on the Potomac River and back to Arlington police said. She was turned out of the car on a highway after 3 a. m.

Polk, of 836 N. Wakefield st., Arlington, and Payne, of 216 Wooten ave., Bethesda, were arrested within 2 hours on the basis of her vivid recollection of them and the late-model Cadillac car.

Mrs. Hotchkiss, according to her husband's twin brother—also a Navy ensign assigned to the Pentagon—was feeling "very fine" yesterday. She and her 24-year-old husband, married last week, were staying with friends at an undisclosed location.

In her statement to police, the wife said that Polk, who allegedly pointed a .22 caliber rifle at the couple and ordered her from the bedroom, told her during the ride he had entered the Hotchkiss apartment Sunday night.

He was bent on burglary, but hid under the bed when the couple unexpectedly entered the bedroom, police continued.

Mrs. Hotchkiss said Polk even recalled some of the conversation the couple had about buying stationery. She said he told her he escaped in the night.

Polk denied the story yesterday.

District Man Held On Rape Charge In Maryland

Post 8-10-51

Maurice J. Shiner, 31, who gave his address as 2325 15th st. nw., yesterday was charged by Maryland State Police with the rape of a 23-year-old District woman on August 4.

He was booked at Upper Marlboro late yesterday and held without bond after being questioned at the State Police barracks at Waterloo all day. Trooper Fred Collison was listed as the complainant.

According to State Police, the girl swore out a warrant charging that the rape took place in a taxicab near Hall, Md. Shiner picked up by District police Wednesday in the 1500 block of L st. nw. and turned over to Maryland authorities. He faces a hearing at 10 a. m. next Friday in Upper Marblboro Police Court.

8332

HUSBAND IS PRAISED BY JURY IN KILLING ATTACKER OF WIFE

27h(2)

A coroner's jury yesterday commended William McMillan, 35, for his bravery in defending his wife and fatally shooting Simon Gordon, 25, Negro, of 64 W. Illinois st., when Gordon attacked and threatened to rape his wife Saturday night.

McMillan had left his wife, Lynn, 32, and his son, David, 7, in his automobile and went into his home at 3114 Devon av. While he was in the home he heard his wife scream. McMillan rushed out of the house, pulled Gordon from the car and knocked him down. He said he ran into a store he owns at that address after Gordon threatened him with a knife, got a gun and shot Gordon in the stomach. Gordon died later in the Bridewell hospital.

Mrs. McMillan testified at the inquest that Gordon entered the car with his knife drawn, tried to fondle her and used obscene language. The jury returned a verdict of justifiable homicide.

HUNT 2 IN RAPE OF ROOSEVELT COLLEGE CO-ED

Police last night sought two men accused of raping a 26 year old Roosevelt college student Sunday night. The victim, a divorcee, lives in a near north side hotel.

She told police one of the men telephoned her Sunday and said he was a former Roosevelt student now in the army. She went for an automobile ride with the man, who gave the name of Alden Shore, and a friend, "Marty."

The victim said both men attacked her in the car. They put her out at Montrose and Western avs. about 1 a. m. Monday and she reported the attack about 9 p. m. Monday.

5-16-51

Girl, 17, Slain in Home; Hold Family Friend

27h(2)

Champaign, Ill., July 20 [Special]—A married man, a friend of the victim's family, was held by police tonight for questioning in the rape-slaying of a high school girl whose naked body was found in her home here this morning.

Janet Clark, 17, motherless homemaker for her father, was found with about 45 stab wounds in her body and a necktie knotted around her throat.

A short time after discovery of the crime by a neighbor who had seen a man leave the Clark home, police arrested the friend of the family.

Admits Going to Home

7-21-51

They quoted the man as admitting that a wrist watch with a broken strap found near the body was his, but he said he left it at the house last night when he visited with Janet's father, Paul Clark, an employe of the Lindsey Transfer company.

The man admitted he went to the Clark home this morning, police said, but he asserted he was looking for Clark, that he talked to Janet thru the door, and went away without entering the house when she told him her father had gone to work.

Clark said that when he left the house at 8 a. m. his daughter was asleep in an upstairs bedroom and that all doors to the house were locked. Janet had lived alone with her father since her mother's death last year.

Opened Door to Killer

Police estimated the girl was slain about 9 a. m. and theorized that she opened the door for her killer since there was no sign of a forcible entry.

Capt. Russell Burke said he believed the two sat on a davenport in the living room and talked before the attack. Janet's robe was found neatly folded on the davenport. Her slightly torn pajama top lay on a chair nearby. Her pajama bottom, turned wrongside out, was on the floor. Also on the floor were her panties, torn to shreds.

The living room showed evidence of a struggle. Two tables were overturned, the rug was rumpled, a lamp was broken, and a large glass ash tray was shattered.

Believed Carried into Bedroom

But there was no evidence of violence in the father's downstairs bedroom where the girls body lay. It was believed the killer carried her to that adjoining room after subduing her in the living room.

Most all of the stab wounds were in the girl's chest. Police said they apparently had been made by a leather awl, similar to an ice pick, which was found under the bed.

A blue necktie was tied tightly about Janet's throat and a red tie lay on the floor. Near the body lay the wristwatch with the broken strap which police said led them to the family friend.

Raped and Beaten

Dr. Max Appel, pathologist at Burnham City hospital, conducted an autopsy and reported that Janet had been raped, her heart punctured by one of approximately 45 stab thrusts, and that she died from hemorrhage and shock. He said she also had been beaten, that her face was bruised and her lip cut.

The girl's body was discovered at 9:24 a. m. by a neighbor, Mrs. J. H. Foote. She said she had been working in her back yard, next to the Clark home, and saw a man leave the Clark house.

Her suspicions were aroused, she said, both by his presence and his care in turning his face from her as he cut across the Clark back yard from a rear door of the house.

Mrs. Foote went to the Clark house, found the door unlocked, and entered when he calls went unanswered.

Police traced the man now being held by checking jewelry stores and learning he owned the watch found in the Clark home.

Girl, 17, Is Slain In Home; Friend Of Father Held

Stabbed 45 Times, Beaten and Raped; Man's Watch Leads to the Suspect

CHAMPAIGN, Ill., July 20 (AP).—A seventeen-year-old high school girl was raped and brutally slain in her home today and police soon afterward held a friend of her father's for questioning.

7-21-51

The nude body of Janet Clark was found when a neighbor saw a strange man cutting across the Clark back yard this morning. An autopsy performed by Dr. Max Appel, Burnham City Hospital pathologist, determined that the girl had been raped.

27h(2)

Dr. Appel said she died of forty-five stab wounds on the left chest and upper abdomen, and that she had been "brutally beaten." Her face bore bruises and her lip was cut. A man's blue necktie was knotted tightly about her neck. Death was due to internal hemorrhage and shock.

Police reported a man's wrist watch, its leather strap broken, was found near the body. Police Capt. Russell Burke said a check of jewelry stores determined it belonged to Peter Parmer, thirty-four, who had visited the Clark hime last night as a friend of the girl's father, Paul Clark.

Mr. Parmer, married but childless, is employed by an insulation firm. Capt. Burke said he admitted owning the watch, but said he must have left it at the Clark home last night. The captain quoted Parmer as saying he had gone to the Clark home this morning and talked to Janet through a screen door, but had departed when she told him her father had left for work at 8 a. m.

Janet had lived alone with her father since her mother's death last year. Capt. Burke said he believed the girl let the man in, since there was no sign of forcible entry. He said he theorized the two sat on the davenport in the living room talking before the attack.

Nab 3 in Rape of 18 Year Old Girl; 3 Hunted

27h(2)

Three men accused of raping an 18 year old junior college student were seized by sherif's police yesterday and three more were being sought. The girl said she was raped at least eight or nine times in the parking lot of a roller skating rink at 4700 N. Harlem av., in Norwood Park twp.

Those held and charged with rape are Michael Carso, 21, of 3911 Lexington st., Savatore Albanese, 18, of 2038 De Kalb st., and Vito Costa, 18, of 2334 Polk st.

Invited to Parking Lot

The girl, a student at a city operated college, said she went to the Hub Roller rink and, while there, saw Carso, whom she knew only as Mike from having seen him there on previous occasions.

During an intermission, she said, he invited her outside to the parking lot and urged her to get in the back seat of an automobile. There, she said, he raped her. Then the other men appeared, she continued, and each raped her, some twice, and one three times.

The three men held then stayed in the car, she said, and attempted to drive away with her. The car became stuck in mud nearby, she said, and they allowed her to return to the roller rink to get her purse. There she told the matron, who called the manager. He in turn summoned a juvenile officer of the sherif's police who is stationed at the rink.

The juvenile officer, stationed at the rink to prevent such happenings, accompanied the girl to the still stuck car and seized the three. They named three others—who they said they knew only as Jack, Eddie, and Joe—and police were seeking them. Gale Adams, 18, of 4715 N. Beacon st., who was in the car, was charged with disorderly conduct when the girl could not identify him as one of her attackers.

Heard No Outcry

Carso was released in $5,000 bond. Albanese was held in the county jail in lieu of $2,500 bond, and Costa was released in $2,500 bond. Adams was released in $50 bond. All face an evening arraignment on Wednesday before Thomas Mathisen, a justice of the peace who sits in the Milwaukee av. station of the sherif's police.

The juvenile officer said he heard no outcry. A similar report was made by an attendant in the parking lot.

27h(2) 1951

Illinois

8333
8333

Near Victim Of Lynching Dies In Chair

OPELOUSAS, La.—(INS) Edward Honeycutt, 24, died in the electric chair Friday, minutes after the Louisiana Supreme court turned down a request to delay the execution.

Honeycutt, who escaped a lynch-attempt shortly after the alleged assault in 1948, on a Eunice, La., white woman, was convicted twice of rape.

Attorneys of the Civil Rights congress asked the Supreme court to halt the execution so that they could argue his second conviction, by an all-white jury, was illegal.

The Supreme court, in turning down the habeas corpus petition, said the record "clearly shows this applicant has been accorded every right to which he was entitled . . . and he has been fairly tried and convicted."

27e(2)

Before his first trial, Honeycutt was taken from his cell by three white men. He was found by sheriff's deputies the next day hiding in a tree. He said the men intended to kill him but that he escaped by diving into a river while they matched coins to see which one was going to shoot me."

Honeycutt walked to the portable electric chair in Opelousas Friday a few minutes after the Supreme court turned down his attorney's last-minute appeal.

6-9-51

The rape victim, mother of two children, and her husband witnessed the execution.

Man Executed In Rape Case

Courier Journal

Opelousas, La., June 8 (AP)—A last-minute fight by the Civil Rights Congress failed today to save Edward Honeycutt, 24-year-old Negro, from execution for the rape of a white housewife. The woman, Mrs. George Byrd, showed no emotion as she watched the electrocution.

6-9-51

The 220-pound Negro died 22 minutes after the Louisiana State Supreme Court and the United States Fifth Circuit Court of Appeals, both in New Orleans, refused to stay the execution.

27e(2)

Forty minutes after the execution another attorney left the office of U. S. Supreme Court Justice Felix Frankfurter and told newsmen the justice had just denied a stay of execution. The attorney was not aware Honeycutt was dead.

Two shocks were needed to take the 6-foot-3-inch man's life.

NEGRO DIES IN CHAIR AS ATTORNEYS ARGUE

Commercial Appeal

Louisiana Executes Assaulter Minutes After Appeal Fails

OPELOUSAS, La., June 8.—(AP)—A last-minute fight by the Civil Rights Congress failed Friday to save Edward Honeycutt, 24-year-old Negro, from execution for the rape of a white housewife. The woman, Mrs. George Byrd, showed no emotion as she watched the electrocution.

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6-9-51

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A writ of habeas corpus was requested by attorneys retained by the Civil Rights Congress, an organization branded by the United States Attorney General's Department as Communist and subversive.

Two shocks were needed to take the six-foot, three-inch Negro's life. One was applied at 12:05 p.m. and he was officially declared dead at 12:12 p.m.

Honeycutt was calm as he was led to the state's portable electric chair on the third floor of the parish jail. The chair was set up a few feet from where Mrs. Byrd and her husband were seated immediately behind the official witnesses. Honeycutt said he had no statement to make.

Honeycutt was twice convicted of the 1948 assault of Mrs. Byrd at gunpoint.

Louisiana Negro To Die June 8 For Alleged Rape

27e(2)

OPELOUSAS, La. — Edward Honeycutt, 24-year old Negro sentenced to die in Louisiana's portable electric chair on Friday, June 8, [illegible] alleged rape of a white woman in December, 1948.

Honeycutt [illegible] declared he had never seen the woman until she came into court. A "confession" which was beaten out of him by Louisiana police was not introduced at his second trial following the state supreme court's reversal of his first conviction. Under cross-examination by Honeycutt's attorneys, the alleged victim told conflicting stories as to the time of the alleged crime.

Little Rock, Ark.

In Louuisiana, as in the southern states of Mississippi and Virginia which recently executed Willie McGee and the Martinsville Seven for alleged rape, the death penalty in rape cases is given to Negroes only.

Since 1907, a period of 43 years, not one white man convicted of rape has ever been put to death in Louisiana, while 29 Negroes have been hanged or electrocuted for alleged assaults.

6-1-51

It has been reported that dedefense counsel for Honeycutt plans to appeal to the state pardon board and the Governor of Louisiana for a commutation of sentence.

Although an appeal to the U. S. Supreme Court is possible, no announcement has yet been made by his attorneys of such action. The Louisiana supreme court and two federal courts recently upheld Honeycutt's conviction.

Raped Girl, 17, Dies Of 45 Stabs From Awl

Champaign, Ill., July 20 (AP)—A 17-year-old brunette was raped and slain today, her nudge body punctured 45 times by an implement similar to an ice pick. The victim was Janet Clark, a Champaign High School student.

Police shortly afterward detained a friend of her father for questioning. Capt. Russell Burke said a wrist watch belonging to the man was found near the body, and that the man admitted visiting the Clark home this morning but denied the slaying.

The girl's father, Paul Clark, said she was in bed when he left for his job with a moving company at 8 this morning. An hour and a half later, a neighbor found her body on the floor of her father's bedroom.

27h(2)

Man Visited Night Before

Police were questioning Petey Parmer, 34, who lived some six blocks from the Clark home. Parmer and Dick Barham, 18, Champaign High School football player, spent the evening at the home last night as guests of the girl's father.

7-21-51

Burke said Parmer was taken into custody today when his wrist watch, its leather strap broken, was found near the girl's body. Parmer admitted owning the watch and said he must have left it at the house last night.

Burke said Parmer told him he went to the Clark home this morning looking for the father. He said he talked to Janet through the screen door but left when she told him her father was not there.

Burke said an acquaintance of Parmer's, Earl Leonard, told police he saw Parmer's station wagon around 9 a.m. parked about a half block from the Clark home at the month of an alley.

Mailman Sees Car Leave

A mailman, Francis Hall, told officers he saw a man answering Parmer's description get into the station wagon and drive away at about 9:30 a.m., the time the body was found.

Parmer, employed by Johns Manville, an insulating firm, is married but childless. His wife is out of town on a vacation trip. No charges have been filed against him.

The girl's body was found when when a neighbor woman became suspicious of a man she saw cutting across the Clark back yard.

Associated Press Wirephoto

JANET CLARK

Illinois schoolgirl found slain

The neighbor, Mrs. J. H. Foote, told police she was in her back yard next door when she saw the man. She said she became suspicious because he kept turning his head away from her.

Awl Found Under Bed

Mrs. Foote said she found the Clark back door unlocked. She investigated and found the body.

The girl lived alone with her father since her mother's death last year. She had a married sister.

A leather awl, which police said inflicted the multiple stab wounds, was found under the bed in Clark's bedroom. Clark said it belonged to him and customaril ywas kept in the kitchen. A man's blue necktie was knotted about the girl's throat.

Dr. Max Appel, Burnham City hospital pathologist, said an autopsy disclosed the girl was raped. He said she died of stab wounds which punctured the heart and lungs, and that she had been "brutally beaten" before her death.

Charge Father of 2 in Girl's Rape-Murder

27 L (3)

Champaign, Ill., July 21 [Special] — A thrice married father of two was charged with murder today in the rape slaying of his friend's daughter, Janet Clark, 17, a high school senior.

Andrew [Pete] Parmer, 37, was charged with the crime, in which the girl was stabbed 45 times, after he had undergone a lie detector test.

Tribune

Parmer, a former cab driver now employed by an insulating firm, was taken before Police Magistrate Virgil W. Burgess, who earlier had issued the murder warrant on the complaint of State's Atty. John J. Bresee.

7-22-51

Returned to Jail

Parmer's only statement was: "I want a lawyer." Atty. Ray F. Dobbins talked with him in jail last night and agreed to the lie test, but was not in court today.

Parmer was accompanied by his father, Andrew Parmer Sr., an employe of a transfer firm. He asked the magistrate to postpone the preliminary hearing for 10 days "until we find out more about this." Burgess set the hearing for July 30 and Parmer was returned to the county jail.

His present wife, Lennie, and their children, a boy, 3, and a girl, 2, are vacationing at Adrian, Mich. Parmer's first wife was killed in an auto accident and he reportedly was divorced from his second mate.

Police reported the accused slayer has shown little emotion thruout his many hours of questioning since he was arrested in a saloon, a block from the police station, two hours after Janet's body was found yesterday morning in her home at 405 W. Columbia av.

Crowd Watches Grilling

A crowd of more than a score of persons watched much of the questioning of Parmer thru a glass door in the police station.

"Whenever we would get to a crucial question," Coroner Don Wikoff reported, "he would sit there and say, "I want a lawyer."

Prosecutor Bresee said the lie detector test, made at Springfield during the night, indicated discrepancies in Parmer's story. Bresee said a detailed and official report of the examination would not be available until next week,

Dr. Max Appel, who conducted an autopsy upon Janet's body, examined Parmer and reported that the middle knuckle on his right hand was swollen.

Visited Girl's Father

Parmer, on a week's vacation, had driven his family to Adrian, then returned here the middle of the week to spend the rest of his vacation at home alone.

Thursday evening he visited his friend, Paul Clark, Janet's father, at the Clark home, six blocks from where Palmer lived. Janet had been keeping house for her father since her mother died a year ago.

RAPIST-SLAYER FACES QUIZ IN OTHER CRIMES

Tribune

Witness Helps Cops Nab Felon in Act

Sun

6-17-51

An ex-convict, caught in the act of raping a 38 year old woman after slaying her escort with a brick early yesterday, was held by Warren av. police yesterday for questioning in other recent sex crimes. He is Charles King, 42, Negro, of 1114 S. Francisco av.

John Moore, 41, of 14 S. Whipple st., who witnessed the brick assault and followed King when he dragged the woman from the scene, was credited with bringing about her rescue and King's arrest.

Couple Sits on Steps

The slain escort, Gilbert M. Bacon Jr., 25, of 111 S. Sacramento av., a carpenter, and the woman were sitting on front porch steps at 33 S. Whipple st. after having spent the evening together.

The woman, an unmarried waitress, told police that King walked past them on the sidewalk, then doubled back, and came up from one side unobserved. He struck Bacon on the head with a brick.

Bacon staggered to his feet and fell to the sidewalk. He later was pronounced dead at the scene.

King dragged the woman around the corner into a hallway at 3023 Madison st.

27 L (2)

Moore Follows Them

Moore, who saw the assault from his porch across the street, followed King and the woman. As they disappeared in the hallway, a police squad car passed, too late for its occupants to see the struggle.

Moore, running into the street, asked a passing motorist to get the police car. Then Moore saw King take the woman out of the hallway and compel her to go to the bottom of a basement stairway in an areaway at 3029 Madison st.

At this point, the squad car returned and was directed by Moore. King was seized in the stairway by Policemen James Curtin, John O'Keefe, and Earl Winters. The woman was taken to County hospital and treated for a cut on the forehead and shock.

King Refuses to Talk

Capt. Jerry Looney of the Warren av. station said King was sullen and refused to answer questions. Bacon leaves his widow, Caroline, 23, and a daughter, Lois, 4. Mrs. Bacon is waiting the birth of another child in September.

27h(2) 1951

Iowa

8334

WOMAN TELLS ASSAULT BY 3

A 27-year-old woman was forced into a car and raped by three white men last Saturday night, police said.

The woman was found wandering in a dazed condition near S. Union street and Park avenue and brought to the police station about 10 p. m. by C. G. Murphy, 3216 S. W. Seventh street.

After being treated at Broadlawns General hospital the woman told officers she was forced into a car by the three white men at E. Fifth apr Walnut streets.

She said they then drove to the vicinity of the assault and all three men raped her in the car which was parked on the street.

Afterwards, she said, they pushed her out and drove off. She said she managed to write down part of the car's license number on an envelope with her lipstick.

2-8-51

27h(2)

Iowa

27h(2) 1951

Kentucky

8335

Woman Adds Rape Charge In Theft Case

27-h (2)

Tests Reveal Attack While She Was Doped

Ky

Miss Athens Linquist, 27, yesterday swore to a rape charge against a man already charged with robbing her at the Colonial Hotel Wednesday.

The warrant, naming a M. C. Baker or C. M. Baker, was signed by the Toledo woman after a report from General Hospital showed she had been attacked while under the influence of a drug.

Courier-Journal

Police are seeking Baker, who checked out of the hotel at 422 W. Chestnut shortly after Miss Linquist telephoned them from her room there Wednesday afternoon. Warrants Thursday charged Baker with robbery and pandering. He is believed to be from Georgia.

Post. 7-14-51

In Municipal Court yesterday, charges of being an accessory to robbery and pandering against Dewey Hugh Jenkins, 39, manager of the Colonial, were continued to July 24. Jenkins denied he had anything to do with giving Miss Linquist a drug or taking $60 from her room, as she charged.

Louisville, Ky

Continued to the same day were vagrancy and disorderly conduct charges against Miss Linquist. These charges were placed against her when she became disorderly and refused to answer questions Wednesday night, according to police.

Miss Linquist arrived in Louisville earlier Wednesday on the way to a vacation in the South. She took a room at the Colonial after failing to find quarters at several larger hotels, she told police. Her sister and brother-in-law took the only available room at a larger hotel, she said.

Police quoted her as saying both Jenkins and Baker entered her room with a passkey. They had an electric fan, a bottle of whisky, and "a capsule and some pills for your headache," the officers said she told them. Tests showed the capsule contained a drug, but the pills were harmless, police said yesterday.

Cabdriver Accused of Raping Girl, 13, Is Held to Grand Jury

Courier-Journal

27-h (2)

Accused of raping a 13-year-old Detroit girl early yesterday, Stewart Allen Bailey, 21, of 635 S. Second, later in Quarterly Court was held to the grand jury Monday.

Ky

Wed. 10-24-51

Bailey, a driver for Belmont Cab Company, 3823 Frankfort, was arrested at 5:30 a.m. at the cab office 3 hours after the alleged attack on a back road near Middletown, Ky.

Louisville

The girl, who said she ran away from home Friday, told County police Bailey picked her up in St. Matthews about 12:30 a.m. Another cabdriver, Woodrow W. Broyles, 32, of 443 S. Jackson, was with Bailey when he picked up the girl, but Broyles got out at the cab office before Bailey drove the girl into the country, police said. Broyles was charged with contributing to the delinquency of a minor.

The girl said she got out of Bailey's cab and hailed a passing truck. The driver notified police.

27h(2) 1951 Louisiana

8340

Justice Department Says

Evidence Insufficient To Act Against Sheriff Whom Vet Charges Raped Wife

27h(2)

La.

The U. S. Justice Department has concluded its investigation into the case of a New Orleans veteran of World War II who charged that he was held by a Lafourche Parish deputy sheriff June 25, 1950, while the deputy's white companion raped his wife at gunpoint in the presence of their two small children. No action was taken because of insufficient evidence, the department told the New Orleans NAACP last week.

The veteran and his wife, whose names are withheld, signed affidavits in the New Orleans office of the Federal Bureau of Investigation, June 28, 1950, naming the deputy sheriff.

The veteran and his family were visiting his native Lafourche Parish where he was reared near Raceland, La.

"The man who placed me under arrest was a deputy sheriff," he declared. "I know him well because I used to work for him when I was a small boy and since leaving Lafourche Parish, I have visited my people there regularly."

His affidavit told how he was arrested by the deputy who accused him of speeding in his automobile. He said the deputy and a companion took him, his wife and two children, aged 3 years old and four months old, to Robicheaux's Garage in Raceland.

The veteran told how the officer forced him from his car, took him a short distance away, while the other man climbed into the car and assaulted the veteran's 22-year-old wife as their two children slept on a back seat.

27h(2)

Last week, the New Orleans NAACP, following a communication of May 11, received a reply from the Justice Department stating:

Sat. 6-16-51

"You are advised that an extensive investigation of this matter failed to disclose sufficient evidence to warrant prosecution for violation of a Federal civil rights statute (Section 242, Title 18, United States Code).

"Consequently, the Department, at the conclusion of the investigation, had no alternative except to close the matter without fur-

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Mother, Girl 11, Raped in Dixie

Courier Sat. 10-27-'51

(By Courier Press Service)

Rape was on the prowl in Dixie last week as a New Orleans mother, 35, and a Florida girl, 11, fell prey to attackers.

27h(2)

The Louisiana woman, mother of two teen-aged daughters, told the Courier last Friday that she was raped last Thursday by three white men who told her they were members of the New Orleans Police Department.

La.

The woman, who works as a barmaid, asserted that she was stopped one block from her home by four white men riding in a 1946 model Ford.

ATTACKED BY THREE

The woman told the Courier that the men forced her into a car, then drove to a dark section where three of the men forced her to submit. The driver of the car did not touch her, said the woman.

Assistant Superintendent of Police Milton L. Duprel told the Courier that a full investigation was being made of the matter.

In Bunnell, Fla., twenty-three miles from Daytona Beach, three white men are being held in jail on charges of raping the 11-year-old girl on Sunday, Oct. 7.

Given a preliminary hearing the three men have been bound over for the December term of Circuit Court without bail.

Fla.

RAPED IN CAR

The girl was reportedly picked up in the presence of her younger sister by a white man, in a car with two other men, on Highway 305 in the farming section near Bunnell. She was raped, it is claimed, in the car by one of the men, then taken to a farmhouse where the two other men reportedly attacked her.

The three suspects were caught almost immediately after the incident by Deputy Sheriff Eddie Irwin after the girl's stepfather had contacted the police. The men were described as being 36, 23 and 21 years of age.

Dr. John M. Canakaris of Bunnell examined the child.

Forced Into Car On Way Home And 'Taken For Ride'

27h(2)

Although the daily press and the police department have said nothing about it, a 35-year-old mother, who is a Garden District bar maid, complained to authorities last week that she was forced into an automobile, taken for a ride and raped by three white men who posed as cops Thursday around midnight. Meanwhile a second woman reported an attempt the next night by a carload of four white men who answered the same description and in the same area, to criminally attack her, but the attempt failed.

Meanwhile police are combing the area from Dryades to Broad and from Louisiana Avenue to Calliope for the quartet last seen cruising in a 1946 Ford sedan automobile.

The victim gave a reporter for The Louisiana Weekly this story:

"I had just left my work. It was about 11:30 that night. Walking toward South Claiborne on Melpomene just before I reached my home a carload of men—four whites to be exact drove up and began questioning me. They said: "You fit the description of someone we are looking for".

Sat. 10-27-51

"Flashing a light, they looked me over. I told them that I hadn't done anything because I had just come from work. They asked me where did I work and I pointed toward the place on Melpomene.

"Then one spoke up and said: 'If you "cooperate," we'll make it easy on you'. They continued to repeat the word "cooperate". I knew what they meant. I told them no that I would rather go to the police headquarters with them to see what it was all about. They told me to get in the car. I noticed that the car had a radio aerial in the center just like that of the vice squad, and the detectives, at first, they gave the impression that they were officers in plain clothes.

27h(2)

"As we drove off three of them got in the front seat and the other one, a blonde, got in the back seat with me. After he attacked me another one with black hair climbed into the back seat and assaulted me, then a third man. All the time they were still driving. They had passed South Claiborne and were on Melpomene—the uptown side of the canal, heading toward Broad St. when suddenly they saw another car approach us. One said: 'That looks like the sergeant.'

La.

"The driver said that he had a wife and didn't touch me. They put me out at Melpomene and Freret.

"They had their car parked in such a manner that I was unable to get the license number when they put me out. They ordered me to walk away and not look back. Then I aroused all of the people I knew in the neighborhood. Someone called the police. But no one ever showed up".

Sat. 10-27-51

"Since then I have made several trips to the police headquarters showup room in an attempt to identify one of the men, but I was unable to do so. I talked with Captain Weiss and Major Durel. They promised me that they would cooperate and have indicated that they are trying to find the guilty ones.

27h(2)

"I can positively identify any of the four men and also the automobile, if I ever see them again".

27h(2) 1951

Massachusetts

8337

Man Accused of Raping 3 Girls, Aged 3 to 8

NEW BEDFORD, Mass., April 7 (AP). — A 28-year-old man was charged with raping three girls—aged 3 to 8—and attempting rape on four others after police trapped him with a [illegible]-year-old girl.

Inspector Leo A. Beruse said Ernest L. Mainville of Acushnet had been terrorizing the North End since March 15. When police seized Mainville today, Berube said, they found him with a crying 6-year-old girl behind a mill alongside a railroad embankment.

27h(2)

P.O.

4-9-51

Mass.

Charges Are Filed Against Airman In Jones Rape Case

Daily News

Tues. 3-6-51

LAUREL — (Special) — Charges of rape were filed here Tuesday against a 26-year-old Keesler Field airman held in connection with the alleged criminal assault over the weekend of a 17-year-old Laurel girl.

Jackson

The charges were filed by District Attorney Paul G. Swartzfager against Private Elvin Johnson and the Jones county grand jury, which had been dismissed, was being called back to probe the case which may be tried at the present term of court.

27h(2)

Sheriff Steve Brogan, who said that Johnson was being held in jail here, said the alleged attack took place at a cabin near Leggett's Lake in rural Jones county late Sunday night.

News

He said the girl, who was admitted to a local hospital for treatment, reported that she and Johnson and three other Keesler airmen and their dates went to the lake site for a party and that Johnson hit her in the face and forced her into the cabin, attacking her there. She was brought to the hospital by one of the other couples after she ran from the cabin, screaming.

The district attorney reported that a physical examination indicated the girl "had been attacked."

The airman has denied the charges. He is from Alabama.

Sheriff's Illness Postpones Rape Case in Warren

VICKSBURG —(AP)— Trials of two North Mississippi white men charged with the rape of a Negro woman have been postponed until the July term of Warren county circuit court.

News

The abrupt break in proceedings already launched against one of the two, John Boyd Stuard of Crowder, resulted from the serious illness of Sheriff J. H. Henderson, a key witness for the state.

3-27-51

Sheriff Henderson, stricken last Friday, underwent an emergency operation at Mercy Hospital Tuesday morning. He is suffering from a kidney ailment. His condition had improved considerably over the weekend, but he suffered a relapse Monday and as the court room awaited his testimony Tuesday morning he was being wheeled into the hospital operating room.

County Attorney J. D. Thames, assisting District Attorney T. J. Lawrence in the prosecution, made the motion for a mistrial Tuesday morning as the court convened. In the opening day of the trial Monday, a jury was selected and witnesses were scheduled to begin their testimony Tuesday morning.

27h(2)

Thames said the testimony of Sheriff Henderson was essential to the case which the state has built up against Stuard and his companion, Lonnie Leroy Bevell of Batesville.

News

He asked that both be held in jail and said the state would vigorously oppose any attempt to allow bond for either.

Stuard and Bevell were arrested at a hunting camp near Eagle Lake a few hours after a young Negro woman was allegedly abducted from a New Year's Eve gathering of Negroes at a nearby rural store.

They were brought to jail for questioning and the next morning the woman wandered dazed and bleeding into the yard of an Eagle Lake home. She told Sheriff Henderson she had been beaten, assaulted and that her abductors had threatened to throw her into the river.

The grand jury returned indictments charging rape, assault to kill and kidnaping. The two defendants pleaded not guilty and were granted separate trials.

Rape Charged By Local Girl; Hunt Suspect

Daily News

Mon. 12-3-51

P.L.

Jackson, Miss.

A Jackson white man was being sought by Hinds county officers Monday after warrants charging assault and battery and rape were filed in justice of the peace court here by a 21-year-old Jackson girl.

27h(2)

The girl told officers that she was beaten and criminally assaulted on a lonely road off Northside drive early Monday after she and the man left Bill Bennett's place on Pocahontas road.

Mon. 12-3-51

Officers declined to identify the man until he had been arrested and identified by the girl victim.

The warrants were filed before Justice of the Peace C. L. Graves.

White Man, Father Of Four, Goes On Trial On Charge Of Raping Warren Negress

News

Mon. 3-26-51

VICKSBURG — (AP) — John Boyd Stuart, 31-year-old father of four children, went on trial in circuit court Monday on a charge of raping a Negro woman last New Year's eve.

27h(2)

Drawing from a special venire, the court spent the morning in selection of a jury.

Stuart is a farmer from Crowder in Quitman county.

Judge R. B. Anderson, presiding over the court, called the case in spite of the fact that Stuart's father, a character witness, suffered a stroke last week, and also that Sheriff J. H. Henderson, one of the chief witnesses for the prosecution, is seriously ill.

Sheriff Henderson arrested Stuart and Lonnie Bevell of Batesville at a hunting camp near Eagle Lake a few hours after two white men in a pickup truck allegedly took the Negro woman by force from a New Year's Eve celebration being held at Crossroads store at the Eagle Lake community.

They were held under assault charges until a grand jury indicted them on charges of rape, assault to kill and murder and kidnapping. They were granted separate trials by the court.

Jackson, Miss.

An indication that the state will press for the death penalty was carried in questions leveled by District Attorney T. J. Lawrence at veniremen during selection of jurors.

"Have you any objection to the death penalty for rape where the state shows guilt beyond a reasonable doubt," he asked of each Venireman.

The defendant sat with his attorneys, John Prewitt of Vicksburg and T. N. Gore of Batesville. The latter is a member of the State legislature.

State Student Held in Attack On High School Girl

27h(2)

Miss.

News

COLUMBUS — (Special) — Lowdes county officials are holding a 23-year-old father of a two-week old son on a charge of raping a 16 year-old high school girl near here Thursday night.

Sheriff [illegible] C. Woodbright said he is holding [illegible] Cookwood, State College education major, on a charge of raping the 16 year-old girl in a Negro churchyard about seven miles southwest of Columbus about 11 p. m. Thursday.

Jackson, Miss.

Cookwood was arrested in his dormitory room at State College about [illegible] a. m. Friday.

Cookwood told officers he has been married one year and is the father of a two-week old son. He said his home is near Mt. Pleasant.

No date had been set for a preliminary hearing early Saturday.

WHITE MEN ACCUSED OF ASSAULTING CHILD

Commercial Appeal

Negro Girl Says Memphians Took Her To Mississippi

Wed. 6-13-51

HELD IN BATESVILLE JAIL

Memphis,

Special to The Commercial Appeal

BATESVILLE, Miss., June 12.—Two Memphis men have been arrested here on charges of statutory rape in connection with an assault on a 12-year-old Memphis Negro girl in a pasture near Courtland last Thursday night.

Sheriff E. B. Wilson of Panola County Tuesday identified the men as Augusta Woody McGarrh, 28, of 1056 Pierce, and Glenn McCain, 29, of 381 South Waldran. The men were arrested by Memphis police Saturday and Sunday.

27h(2)

They Waive Hearing

Tuesday they waived a preliminary hearing before Justice of the Peace W. T. Westmoreland here and were bound over to the Panola County Grand Jury, which meets in October. They were held in jail in default of $3000 bonds.

(Statutory rape covers an assault on a female under the age of 18 and the act becomes rape even though the female willingly submits to the act. If the female is under 12 the panalty can be either life in prison or the death sentence. If the female is between 12 and 18. the sentence can be a $500 fine or five years in prison. If a drug or any other substance is used to lessen theresistance of the female. the penalty is lifge in prison or death.)

Sheriff Wilson gave this account of the assault:

McGarrh and McCain went to the home of the Negro girl, who is an eighth grade student and tall for her age, last Thursday night and asked her mother to let the girl baby sit for McGarrh. McGarrh told the mother that he and his wife worked at night and that he needed the girl to stay with his three children. The mother consented because the men "talked so nice."

The sheriff said the girl said the men put her in the trunk of the car until they crossed the Mississippi state line, where they transferred her to the front seat.

Says They Bought Liquor

According to the girl's story, the men stopped at a liquor store and then drove out Highway 51 near Courtland, about six miles south of here. The assault took place in a pasture between the present Highway 51 and old Highway 51. She said both men assaulted her.

She said she escaped when the men began arguing, and hid in high weeds until the men left. She then walked along the highway toward Matesville and flagged a taxi driver, who took her to Batesville and gave her $1.25 for bus fare to Memphis.

The child's mother said she left home at 7 Thursday night and got back to Memphis about 3:30 Friday morning. The mother said the girl had acted as a baby sitter for McGarrh before.

Tuesday the girl and her mother visited the scene where she said the assault took place. She said that the men forced her to drink whisky before they assaulted her.

FBI PROBES ACTION OF RAPISTS WHO TOOK GIRL OVER STATE LINE

Kidnaping Laws May Have Been Violated By Memphis Whites Who Assaulted Girl In Mississippi

27L(2)

DEFENDANTS HELD IN MISSISSIPPI JAIL

Miss

MEMPHIS, Tenn. — (ANP) — The Federal Bureau of Investigation may be called in to probe the case of two white men who reportedly attacked a 12-year-old girl by taking her from Memphis across the border to Mississippi.

The FBI is to determine if the men violated the federal kidnaping laws and whether or not they violated white slave laws.

Black Dispatch

Now being held on charges of statutory rape in Batesville, Miss., are Woody McGarrh, 28, and Glenn McCain, 29, both of Memphis. They are reported to have picked up the colored girl in Memphis with the pretext of using her as a baby sitter.

Instead, they are said to have taken her to a pasture near Cortland, Miss., and assaulted her. Their case is to be studied by a grand jury.

6-30-51

If it is found that they had relations with the girl, whether she was willing or not, they can be found guilty of statutory rape. For this crime they are subject to a fine of $500 or five years in prison.

Here is how the story of this incident is told:

Oklahoma

The two white men asked the girl's mother to allow her to baby sit for McGarrh because his wife worked at night and he needed someone with his three children. The mother consented because they "talked so nice." The men put the girl in the trunk of their auto, and finally attacked her on a pasture near Courtland.

She escaped when they began to argue. She called a taxi driver who took her to Batesville and gave her $1.25 for her bus fare home. The victim is said to be tall for her age.

FBI Asked to Investigate Kidnap-Attack of Girl, 14

Afro American

MEMPHIS, Tenn. (ANP) — The FBI may be called in to probe the case of two white men who reportedly criminally attacked a 12-year-old colored girl after taking her from Memphis across the border to Mississippi. The FBI is to determine whether the men violated Federal kidnaping laws and/or white slave laws.

6-30-51

Now being held on statuatory charges in Batesville, Miss., are Woody McGarrh, 28, and Glenn McCain, 29, both of Memphis. They are reported to have picked up the girl in Memphis with the pretext of using her as a baby sitter.

Instead, they are said to have taken her to a pasture near Courtland, Miss., and assaulted her. Their case is to be studied by a grand jury. If it is found that they had relations with the girl, they can be found guilty of statutory rape. For this crime they are subject to a fine of $500 or five years in prison.

Girl Put in Auto Trunk

Here is how the story of this incident is told:

The two men asked the girl's mother to allow her to baby-sit for McGarrah because his wife worked at night and he needed someone with his three children. The mother consented because they "talked so nice."

6-30-51

The men put the girl in the trunk of their auto, and finally attacked her. She escaped when they began to argue. She called a taxi driver who took her to Batesville and gave her $1.25 for her bus fare home. The victim is said to be tall for her age.

Points Finger At Accused White Rapist

27L(2)

Miss

VICKSBURG — (AP) — A young Negro woman took the circuit court witness stand here Tuesday and pointed out a bespectacled wavy-haired white farmer as the man who raped her at pistol point last New Year's Eve.

Afterwards, the woman said, she was left half-naked and unconscious on a Mississippi river levee road.

The accused man, 27-year-old Lonnie Bevell of Batesville, Miss., sat impassively at the defendant's table during the testimony.

The state is demanding his life for the crime, the first time in the memory of state court officials a death penalty has been demanded of a white man in such a case.

Appearing as the state's first—and star—witness, the 31-year-old farm woman said Bevell and another white man posed as law officers in forcing her to accompany them.

7-10-51

She was seized from a group of Negroes in the yard of a crossroads store at Eagle Lake near here about 8 p. m. last New Year's Eve, she said, when Bevell, pistol in hand, walked up and said "I am the law, I am going to arrest you."

Enroute to the levee road Bevell struck her once with the pistol, the witness said, in an effort to stop her crying.

After tearing her clothes off and raping her, she went on, they threatened to kill her.

"I begged for a chance to pray," she told the male, all-white jury, adding she was on her knees when the knockout blow came.

"I woke up about daybreak, got up and tried to find the highway," she went on. "I kept falling down."

Later in the day she wandered into a farmyard and was brought to Vicksburg. She testified she spent five days in the hospital and received medical treatment several times after leaving the institution.

Each member of the jury told District Attorney T. J. Lawrence Monday he had no objection to imposing the death sentence if convinced of Bevil's guilt.

Bevil was indicted with John Boyd Stuard, also of Batesville, for kidnaping, rape and assault and battery with intent to kill and murder. They are being tried separately.

Bevill's wife, who sat beside him in the courtroom all day Monday while the jury was being picked, was sworn in as a witness Tuesday and removed from the courtroom.

Others scheduled to testify as state witnesses include Sheriff J. H. Henderson and Deputy Sheriff Sam Boozer, who made the arrests, several of the Negroes who were in the store yard that day, and the farmers who found the woman and brought her to town for treatment.

27h(2) 1951 Montana

8339

Indian Maid Charges Teen-Ager Raped Her Daily For Five Days

27h (2)

POPLAR, Mont. — (UP) — Cleo Charging Bear, a 21-year-old Indian maid, complained today that a 14-year-old high school youth lured her away from an Indian reservation, hid her in a haystack and raped her daily for five days.

The young woman, whom authorities described as being "unusually small for her age," told her story to Special Officer M. S. Graham of Poplar.

She said the husky farm youth inveigled her into leaving the Fort Kipp Indian Reservation "to catch runaway horses."

Instead, she said, he took her to a haystack and bound her with ropes.

Miss Charging Bear said the youth burrowed a hole in the stack and hid her inside. She told an Indian interpreter the boy "visited each day but brought no food nor water."

On the night of December 22 she escaped and stumbled into a farm house. Graham said she was suffering from exposure, swoolen feet and hands, and shock, as well as lack of food and water.

Graham turned the case over to the Federal Bureau of Investigation since Indians are wards of the government. The FBI said no charges would be filed until the investigation has been completed.

"Our men are still investigating," said an FBI agent in Butte.

"There are a number of circumstances involved in the case which have not been explained."

27h(2) 1951

New Jersey

8342

Suicide Ends Great Manhunt In New Jersey

Advertiser

Irvin Found Dead With Bullet Hole In Left Temple

Mon. 7-2-51

27h(2)

Montgomery Adv

FLEMINGTON, N. J., July 1—(AP)—Murderer - rapist - kidnaper Warren Lee Irwin killed himself Sunday to avoid capture in New Jersey's greatest manhunt.

His rain-soaked body, a bullet in the left temple, was found in a soggy field about one-quarter of a mile from where he ran for cover from police Saturday into dense woods and farm land in west central New Jersey.

He had abandoned 17-year-old Carolyn Barker, whom he kidnaped in Washington Thursday night and raped six times in 41 hours of terror. He left her and a stolen car in a dirt road.

State police and the FBI said there was no doubt that Irwin, who swore never to be taken alive, killed himself between 11 p.m., and 1 a.m., Eastern Standard Time, when he could see no way out of the trap forged by hundreds of heavily armed searchers, bloodhounds and airplanes.

Almost exactly 24 hours after he touched off the grim pursuit about 12:30 (E.S.T.), Saturday, Irwin's body was spotted from the air by two civilian volunteers in a Piper Cub plane.

Clotted blood covered his scar-marked face. A .38 caliber revolver, one of five cartridges spent, was hy his left hand. His thick rimless glasses and a flashy straw hat lay near his left foot.

The 27-year-old fugitive, who began his crime career by stealing money from his mother, was sought for murder and kidnaping in the Midwest before he began his final escapade.

News of his suicide was withheld from Miss Barker, whom he seized at gun's point while she was getting an engagement ring from her boy friend in a car on her 17th birthday. She was held in strict seclusion in a Washington hospital.

Before she returned last night, she said she hoped Irwin suffered before he was taken.

Found Near Dirt Path

He was found near a dirt path, about 150 feet from a main traveled highway, Route 29, some eight miles south of here. State police said he must have come out of the thick brush during the night, looked at the huge searchlights and mass of armed men hunting him and then shot himself.

His body was face up on a raised knoll that had been carefully covered by police and bloodhounds yesterday. It was only a short distance away from where the FBI set up a guard when heavy rains began to fall.

The body was taken to a Flemington morgue where an autopsy will be performed by Hunterdon County Physician John F. Fritz.

State troopers said the Irwin manhunt was even greater than the search nearly 20 years ago when Lindbergh's infant son was kidnaped and killed.

Huge Manhunt Seeks Fugitive In New Jersey

Girl Tells Of 41 Hours Of Horror Suffered After Kidnaping

FLEMINGTON, N. J., June 30—(AP)—More than 300 armed men called off their manhunt for Warren Lee Irwin—wanted for murder, kidnap and rape—late Saturday night as heavy rain and darkness covered his trail through rugged woods near here.

They left the 27-year-old scar-faced fugitive presumably lurking somewhere in a 10 square-mile area after he abandoned Carolyn Barker, 17-year-old high school girl Saturday afternoon.

27h(2)

Advertiser

FLEMINGTON, N. J., June 30—(AP)—One of the greatest manhunts in the nation's history closed in Saturday night on Warren Lee Irwin, 27-year-old fugitive wanted for murder, kidnaping and rape.

July 1-51

Irwin apparently was trapped in woods and farmland some eight miles southwest of here after abandoning Carolyn Baker, 17-year-old high school girl he kidnaped from her boy friend in Washington Thursday night. She told police she was raped six times in 41 hours of horror she was forced to spend with Irwin.

Montgomery Adv

As night began to fall, police brought more than 50 powerful portable searchlights into play. They shifted the scene of their search from dense woods to more open farmland, following up a tip of a farm wife that she had seen a man armed with a pistol and wearing a floppy, whitish cloth hat like Irwin's.

FBI On Scene

Scores of FBI agents, 80 state police troopers and countless volunteer firemen, local police and civilian defense volunteers combed the area.

Packs of bloodhounds bayed through the brush, heading toward the area where the farm woman said she saw the scar-faced fugitive.

State police said residents of this sparsely settled, rural area near the Deleware River were terrified Irwin would pick one of their isolated homes for a last ditch, shoot-it-out stand.

Near Lindbergh Estate

The scene is less than 10 miles from the former estate of Charles Lindbergh whose infant son was kidnaped and killed nearly 20 years ago. A state trooper described the posse tracking down Irwin as "the biggest manhunt since the Lindbergh case."

Miss Baker told police her story in a voice seemingly beyond emotion. She said Irwin fled from a stolen car into the woods with only one gun and six rounds of ammunition.

Everyone in the manhunt is armed, some with pistols, others with hunting rifles, shotguns, and even machine guns.

Irwin's stolen car was spotted near Ringoes, some 10 miles south of here, about 12:30 p.m. (EST), a few hours after he drove away from the home of his uncle at Warrington, Pa., some 30 miles from Flemington.

Irwin's uncle, George Brewer, 42, said the fugitive boasted he would get to Mexico and "they'll never catch up with me."

27h(2) 1951

New York

NEW YORKERS RAPE NEGRO WIDOW AS CLIMAX TO HOUSING ROW IN DWELLING PROJECT

Black Dispatch

Five Men Rush Into Apartment and Hold Sexual Relationship With Young Woman

POLICE DODGE FILING OF CHARGES

By Frank Morton

NEW YORK — (ANP) — Police and housing officials are alarmed over an alleged rape of a Negro woman in a city housing project, caused by objections of whites to Negroes living in the project.

The Williamsburg Housing project was thrown into this embarrassing situation last week, when Mrs. Mary Provost, a 23-year-old Negro widow with two children, reported to police of a nearby precinct that five young hoodlums had forced entry into her apartment and raped her under the threat of bodily harm otherwise if she resisted.

6-9-51

27h(2)

N.Y.

Mrs. Provost said she was alone in her home, except for her two sleeping children at 12:30 p. m. when there was a knock on the door. Expecting her brother, Johnny Frederick, who lives nearby, she opened the door when a voice outside said, "It's Johnny."

The five men, between 19 and 25, rushed into the apartment. One picked up a hammer, another had an empty beer bottle. Threatening her with these they proceeded to rape her, she said.

All the while, the men cast slurs on her race the woman told police. At 2:15 a. m. they left. She ran to the roof of her building and crossed over to the next house to the third floor apartment of a friend. Mrs. Provost sobbed her story and Mrs. Wolkenstein's husband ran to the Provost apartment and brought the two children to his home. Someone else had called the police. They started an investigation.

Oklahoma City, Okla

Mrs. Provost's husband was killed in an automobile accident a year and a half ago. She has lived in the project about eight months. Her source of income is the widow's pension. She said she was sure it was racial discrimination that prompted the attack since white tenants have tried to force her to move out of the building.

Later in the day, more than 30 irate men and women marched into the police station demanding protection. Mrs. Dorothy Brown who headed the group was told that the commanding officer was off duty. The group then disbanded quietly, but it was expected they would return to press their charge.

In many city projects and some private ones, mixed groups live harmoniously. Flare-ups have been infrequent and there has never been a charge as serious as this one.

City officials have expressed themselves as determined to prosecute once they arrested the guilty parties and Mrs. Provost has been assured the support of many of the residents who are against racial discrimination and want no repetition of the crime done to Mrs. Provost.

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4 Youths Seized In Assault on Queens Widow

Herald Tribune

Picked Up 2 Hours After Attack; Cab Driver and 5th Teen-Ager Sought

Mon.

7-2-51

Four teen-age youths were arrested two hours after they allegedly raped a Queens widow and beat a friend, a former New York City policeman, unconscious. A cab driver who participated in the rape and a fifth youth are still being sought.

The attack occurred shortly after 1:30 a. m. Mrs. Grace Fleming, forty-five, of 37-45 62d St., Woodside, Queens, was being taken home by her companion, Charles Byrne, fifty-two, who is now a clerk at Butlers Hotel, Merrick, L. I., where he lives.

N.Y.

27h(2)

They had spent the evening together with friends. On the way home they got into a minor argument. At 61st St. and Roosevelt Ave., Woodside, a cab with five youths and the driver pulled up.

Intervenes in Dispute

One youth jumped out and started to intercede in the argument on Mrs. Fleming's behalf. Mr. Byrne swung at the youth, police said, and the youth swung back. In the struggle which followed Mr. Byrne was knocked unconscious.

Three more youths jumped out of the cab and invited Mrs. Fleming in. They said they would drive her home. Mrs. Fleming said she refused and the youths forced her into the cab, she told police.

They drove a few blocks to a lot at 69th St. and Northern Blvd., where Mrs. Fleming was forced out of the cab. Four of the youths and the cab driver raped her, police said.

Forced Back in Cab

Police said Mrs. Fleming was then forced back into the cab. At Baxter St. and Broadway, Elmhurst, Queens, the cab stopped for a red light. Mrs. Fleming seized the opportunity to escape and ran screaming from the cab, which drove off.

Between the time she was raped and the time she escaped Mrs. Fleming was forced to sit on the floor of the cab, police said. Her wallet, containing $4.50, was taken from her.

At the Elmhurst police station, Mrs. Fleming gave police a description of her attackers. Patrolman Ronald MacPherson, whose beat includes the block where Mrs. Fleming was kidnaped, recognized the descriptions as fitting three "young punks" who live in the neighborhood.

He went to his beat and shortly after 3 a. m. saw the three youths walking on the street. He drew his gun and lined them up. He called for a patrol wagon and they were taken to the station.

They then gave police information which led to the arrest of the fourth youth. All four have signed confessions, police said. They were booked on charges of rape, kidnaping, felonious assault and robbery. They were identified as Ronald Corcoran, of 181 W. 101st St., the youth who struck Mr. Byrne; Michael Mutolo, of 39-70 62d St., a dancing instructor; Richard Corbett, of 41-47 57th St., a house painter, all nineteen, and Vito Raguseo, eighteen, of 69-13 44th Ave., a laborer. The last-named three live in Woodside.

The four told police they had been drinking in a Woodside Tavern most of the night. They said they hailed a cab when they emerged and it was the cab driver who suggested they stop and interrupt the argument between Mrs. Fleming and Mr. Byrne.

Police said the youths paid the cab driver 90 cents for the ride when they left him soon after Mrs. Fleming escaped. All four will be arraigned today in Queens Felony Court, Ridgewood.

Mrs. Fleming was treated at Queens General Hospital for shock and sent home. Mr. Byrne, who was taken to Queens General by a passing motorist, was described by doctors as in serious condition. He may lose his right eye, the hospital said. He suffered a severe eye laceration as the result of the beating.

CASE OF BABY-SITTER LEADS TO VICE COUNTS

27h(2)

A four-count indictment charging Leo Cusson, 21-year-old house painter, with rape, impairing the morals of a minor and third-degree assault was returned in General Sessions yesterday as a result of the case of the Massachusetts baby-sitter. Cusson, in City Prison in default of $2,000 bail, will be arraigned next week before Judge John A. Mullen.

N.Y.

He and Wayne Eckhart, 22, a prizefighter, had been arrested last Oct. 19 in an investigation of the adventures of Roberta McCauley, 15, of Nahant, Mass., who came here with two teen-age girl companions after allegedly stealing $18,000 in cash and a quantity of jewelry from the home of a Nahant physician for whom she was baby-sitting.

Fri. 11-30-51

The grand jury dismissed assault charges against Detective William J. Ryan of the West Sixty-eighth Street station, who had taken Cusson into custody. Cusson charged in Magistrate's Court that Mr. Ryan had beaten him. At the court's request the allegation was investigated by the prosecutor's office.

Among those who testified in that phase of the case was Eckhart, Miss McCauley and her friends, Eileen Jeffrey, 17, and Marilyn Curry, 16, both of Lynn, Mass. Other witnesses were Dr. J. Leipins of the Beekman-Downtown Hospital, who examined Cusson; Raymond Gill, Mr. Ryan's detective partner, and Detective Lieut. Henry Devlin.

27h(2) 1951 North Carolina

8343

Baby Sitter, 15, Accuses White Man, 45, of Attack

Afro-American

27h(2)

N.C.

WINTON, N.C.—A white man, 45, of Mamaroneck, N.Y., Frank Newsome, will be tried at a term of Superior Court opening here July 30 on a charge of criminally attacking a 15-year-old colored girl.

The girl testified in a Magistrate's Court July 3, that Newsome attacked her five times, after arranging for her to kep the Newsome's three children while he and his wife attended a show.

Owns Business in N.Y.

Newsome came to the Girl's home for her early last Saturday afternoon, she testified, and the criminal assaults took place later that day in the Beechwood Country Cub section in Hertford County.

According to Deputy Sheriff Fred Liverman, Newsome owned and operated a small business in Westchester County, N.Y., and was vacationing in North Carolina. Newsome, he said, is a former resident of Pender, N.C.

The girl's mother, father and grandmother testified that Newsome had made arrangements for the girl to stay with his children and came after her Saturday afternoon, and she did not return until Sunday morning.

Army Nabs 6 Paratroopers In Rape Case

Worker

New York, N. Y.—"Public protest by Negro and progressive white Americans caused Army officers to intensify their search for and finally arrest the six white soldiers who committed the mass rape of a 30-year-old Negro mother near Carthage, North Carolina," the Civil Rights Congress reports.

The arrest of the six men, all paratroopers, was announced last week by the Army's Criminal Investigation Division. The assault on the young mother of two children took place during Army maneuvers last August 15. Confessions from some of the six men are said to have been obtained.

The six soldiers stopped Mrs. Lula Artis, Paul Williams, the young son of a Negro minister and a second woman as they were returning from Church near Carthage on a Sunday evening. The six soldiers held a gun on the boy while they attacked Mrs. Artis. The other woman managed to escape.

27h(2)

N.C.

So brutal was the assault that Mrs. Artis, who had to be hospitalized, was in a state of shock for several days.

Negro Woman Raped By Six White Soldiers

Times-Dispatch

CARTHAGE, N. C., Sept. 10—(UP)—Six white soldiers raped the wife of a New York Negro soldier in the back of an Army truck during the Carolina war games last month, Sheriff C. J. McDonald disclosed today.

27h(2)

N.C. 9-11-51

McDonald said the mass assault was kept quiet at the request of Army officials, who attempted unsuccessfully to trap the men in the area.

Richmond Va.

The 30-year-old victim, mother of two children, was with a group returning from church on the night of August 15, the sheriff said. Seven soldiers forced her, the son of a Negro preacher and another woman, into the truck at gunpoint.

The other woman wriggled loose and fled, but six of the soldiers raped the second woman under threat of death while the Negro youth was held at the point of a rifle in the hands of the seventh soldier.

27h(2) 1951

North Carolina

8344

SEX, RACE AND DIXIE JUSTICE:

White Roomer Jailed for Attack on Maid

By J. B. HARREN

NASHVILLE, N.C. — A precedent was set here recently when Howard Carson, white insurance agent, was found guilty on a charge of "assault upon a female" at a trial pressed by Mrs. Verna Mae Floyd, a maid in a white home.

Afro-American

The warrant originally charged Carson with criminally assaulting Mrs. Floyd by force of arms, but State Solicitor George Fountain asked for conviction on the lesser count of "assault with intent to commit rape" or "assault upon a female."

Sat 9-1-51

Carson did not testify. He was sentenced to six months on the roads which he immediately appealed, but later withdrew the appeal.

Baltimore

Matron's Testimony

Mrs. Floyd testified that the defendant approached her while she was cleaning his apartment on his first day in the house as a new tenant while the landlady was absent.

27h(2)

She told the court that Carson kept twirling a revolver all the while warning her that she was going to have sex relations with him or die.

N.C.

Mrs. Floyd said the attack was consummated on the floor after she was frightened beyond resistance, Carson having placed the gun on the bed within easy reach if needed.

The matron testified further that when Carson left the room he warned her against making any alarm under penalty of death.

Admits All to Police

She said she went home but was afraid to tell her husband about the attack until police had been summoned, then she became hysterical.

Defense Smears Defendant

When the police questioned him, Carson denied Mrs. Floyd's charges but confessed later with the statement that she gave herself to him freely and that he did not force her to submit to his wishes.

At the trial, James Keel and Hubert Mays, defense lawyers, attempted to discredit Mrs. Floyd's testimony by pointing to her admission under cross-examination that she was the mother of children born out of wedlock prior to her marriage.

The defense failed, however, to impeach her character during her year's employment at the home where the attack occurred, or to detract from the weight of her testimony because she did not resist Carson who was armed.

White spectators, stirred when Venton E. Fountain of Tarboro who assisted with the prosecution, demanded equal justice for women.

Rape of Negro Laid to 6 GIs In N. C. Case

27h(2)

CARTHAGE, N. C., Sept. 10—(U.P.)—Six white soldiers raped the wife of a New York Negro GI in the back of an Army truck during the Carolina war games last month, Sheriff C. J. McDonald revealed Monday.

Constitution

McDonald said the mass assault was kept quiet at the request of Army officials, who attempted to trap the men in the area. McDonald said the men have not been caught and he released the story.

The 30-year-old victim, mother of two children, was identified by Army officials as Lula Mae Artes. She was with a group returning from church on the night of Aug. 15, the Sheriff said. Seven soldiers forced her, the son of a Negro preacher and another woman, into the truck at gunpoint.

Atlanta Ga

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6 White GIs Rape Mother

By A. M. RIVERA Jr.

CARTHAGE, N. C.—One of the most bizzare stories of mass rape ever reported in North Carolina was revealed here last week by United States Army officials after a month-long news blackout.

The story was an account of heinous mass rape by six white GIs at gun-point of a young Negro mother, wife of a New York GI.

27h(2)

Courier

According to Army authorities, on the night of Aug. 19, six soldiers forced Mrs. Lula Mae Artes at gun-point into the back of an Army truck where they raped her. A seventh held an 18-year-old minister's son, who accompanied Mrs. Artes, at bay with a rifle during the attack.

Sat 9-22

STORY HELD UP

Pittsburgh

The story of the attack was held up by Moore County Sheriff C. J. McDonald, who was cooperating with Army authorities as they attempted to trap the men in the maneuver area. The seven escaped, however, and further efforts to track them have so far proved fruitless.

Mrs. Artes, recalled that on the night of the attack, she and young Paul Williams, the youth who was held at gun-point during the attack, were among a group returning from church services, when the soldiers accosted them on Highway 15, four miles east of here.

They forced Mrs. Artes, young Williams, and an unidentified female companion who later escaped, into the back of a truck at gun-point. Mrs. Artes' companion wrestled free of the attackers and escaped while young Williams was forced to watch, lying on his stomach, and held off by a seventh soldier with a rifle in his hands.

ARMY "EXPLAINS"

Officers explained to the Courier this week that they withheld information about the mass attack in an effort to facilitate the finding of the guilty soldiers.

Courier

Sheriff McDonald said, "They didn't show up and it's pretty tough to find seven men out of 100,000."

Sat 9-22-?

Neither the young man nor woman who witnessed the assault could give any clue or description which could be used in identifying the assailants.

27h(2)

North Carolina, on the other hand, has no unsolved race cases involving Negro men and white women and has been eminently successful in the apprehension of accused Negro violators.

N.C.

THINK THEY'RE KNOWN

Negro soldiers at Fort Bragg, Tuesday, expressed the belief that the Army was in possession of the identity of the attackers and expressed resentment that inasmuch as the Army had claimed to be unsuccessful in bringing the six to justice that the name of the Negro mother was released for publication. The Army officials investigating the crime, told this reporter that they had not closed the case.

27h(2) 1951

South Dakota

8345

Kidnap-Rape Suspect Admits Killing Uncle

World Telegram

By the United Press.

CHAMBERLAIN, S. Dak., Nov. 20.—Robert Thwing, 28, held for the kidnaping and rape of a schoolteacher, confessed suddenly today that he killed his foster uncle and buried his body in a haystack near Kimball, S. Dak.

11/20/51

Thwing led police to the remains of Harvey Burr, 59, farmer who had been missing for a week. Mr. Burr had been shot once. A bullet had entered his forehead and passed out the back of his head.

Thwing broke down while being questioned at Mitchell, S. Dak., about the kidnap-rape of the schoolteacher, who is 24.

The body was found in the vicinity of the kidnaping. The teacher was abducted last Tuesday, the same day Mr. Burr disappeared. She identified Thwing as the man who walked into her one-room schoolhouse while she was alone, drew a knife and forced her into his car parked outside.

She said he held her captive for more than four hours, threatened to kill her and then raped her.

27h(2) 1951

Oklahoma

8347

Posse Rescues Girl Abducted by Ex-Convict

McALESTER, Okla., April 4 (UP).—A 16-year-old high school girl was rescued today from an ex-convict she said had held her captive since Sunday night.

Searchers found Jackie Parris and 22-year-old Robert Phillips on the wooded, rugged slopes of the Sanbois Mountains, huddled around a campfire the girl kept going to attract the posse.

"I told him I was cold and wanted him to build a fire," she said. "I had seen a spotter airplane yesterday and some of the posse and knew they would see the fire. I just kept telling him I was cold and kept throwing more wood on the fire."

She said she had tried to foil Phillips' advances since her abduction last Sunday night.

"I just kept fighting him off and talking him out of it," she said, but told officers he assaulted her two hours before she was found.

A search party of 10 men, led by Chester Palmer, of Kinta, Okla., spotted the fire and carefully surrounded a small windbreak in which they saw Jackie and Phillips about 1 A. M. Then they closed in.

Phillips, who recently served a prison term for car theft, did not resist.

27 h (2)

Jackie was abducted Sunday with her 17-year-old boy friend as they sat in a parked car near a roller-skating rink here.

Her boy friend, William Coghill, who had been held under technical arrest since Monday night, 12 hours after he reported the kidnaping, was released today and was overjoyed when told she was safe.

Her Fire Trick Brings Posse; Rapist Held

McAlester, ~~Okla.~~ April 4 [Special]—A high school girl, raped shortly before rescuers freed her from a kidnaper, today told a dramatic story of her two terror filled days of captivity.

4-5-51

Jackie Parris, 16, daughter of a school board member, disclosed that her desperate efforts to attract the attention of hundreds of searchers thru a variety of woodcraft tricks finally paid off and brought about her rescue.

Her surreptitious feeding of a fire during the intermittent dozing of her abductor, Robert Phillips, 23, an ex-convict, provided a signal seen 9 miles away. A posse of 13 men climbed a mountain and seized the kidnaper as he and the girl huddled beside the fire atop Blue mountain.

27 h (2)

Suffering From Shock

Suffering from exposure and shock, the blonde and blue-eyed victim was taken to McAlester General hospital where she was kept under sedatives.

Her feet were cut and bruised, her lightweight loafer shoes having worn thru to expose her bare feet as she and her kidnaper scrambled over rough terrain for two days. Her blue jeans and jacket were in tatters from contact with underbrush.

"I guess we got there too late," said Chester Palmer, a sawmill operator, who led the posse. "She said he took her into a shack on the mountain top and raped her two hours before we got there. Up until then he hadn't bothered her."

Admits Shack Episode

Phillips first denied molesting Jackie but admitted under questioning that he had taken her into the shack, removed her clothes and made an attempt at rape. Jackie said he had argued thruout their two days together to try to get her consent.

The girl and her high school sweetheart, Bill Coghill, 17, were abducted Sunday night as they sat in a parked car in front of a roller skating rink. Phillips drove them about the countryside until the car got stuck in mud, then he disappeared into the woods with Jackie, threatening Coghill with a knife to keep him from following.

"I tried my best to leave some marks," Jackie told her rescuers. "I wore out a lipstick marking Xs on rocks. I broke twigs on trees hoping our trail could be followed. I had 45 cents in change which I dropped along the way hoping someone would find it.

Signals With Mirror

"When I saw search planes overhead, I used my compact mirror to try to flash signals to them, but I guess they didn't see them."

An army helicopter, a highway patrol plane, and two private planes aided in the search in which hundreds of officers and volunteers combed the rugged mountain area 40 miles northeast of here.

"The only food we had was some canned milk and canned pork and beans he got in a deer hunter's cabin he broke into," Jackie continued. "We drank brackish water from creeks.

"Tho the temperature was below freezing both nights, he said he wouldn't make a fire for fear we'd be seen. He made a little fire Monday night but it was in a canyon.

"Last night he finally consented to build a fire under a rock ledge on the mountainside. Whenever he nodded, I put more wood on the fire in the hope it would be seen."

Sight Fire in Town

Her fire was sighted by 100 persons in Kinta, nine miles away.

The posse scrambled up the mountain in the dark and quietly surrounded the fire. Palmer leveled a 30-30 deer rifle at Phillips, as he sat with his head in his hand, and told him:

"This is it! Don't move or give us any trouble or we'll save the state a lot of money."

When Phillips was taken to the McAlester jail, officers released Coghill.

Posse Hunts Kidnaper, Girl

McALESTER, Okla., April 2 (UP).—Officers organized a posse and called for bloodhounds today to search for a 16-year-old girl who was kidnaped and carried into the wooded [illegible] mountains in southeastern Oklahoma.

Sheriff Bill Alexander said the victim was Jackie Parris, daughter of Mr. and Mrs. Jack Parris of McAlester. Alexander said she was in the clutches of a rough-looking, unidentified man when last seen.

Her 17-year-old boy friend, William Coghill, tearfully told officers at daybreak today that the man forced his way into their car at a skating rink last night.

Coghill said the man ordered them to drive him to a spot near Kinta, 40 miles southeast of here in Haskell county. There, Coghill said he pulled Jackie out of the car and took her into the woods. He left Coghill in the car.

Coghill said he walked back to a store at Kinta and called his mother, who notified McAlester police.

Alexander called the State penitentiary here, which took its bloodhounds to the area to begin a search.

Missing school girl found, officers hold suspected attacker

McALESTER, ~~Okla.~~, April 4—(AP)—Sixteen-year-old ~~Jackie Parris~~ was liberated early today from a 23-year-old ex-convict who admitted to officers he abducted the girl and her high school skating date Sunday night.

News

The girl was found about 1 a.m. huddled beside a fire under a rock ledge atop Blue Mountain in the San Bois Range, nine miles south of Kinta. Kinta is 35 miles northeast of McAlester in Eastern Oklahoma.

27h(2)

Wed. 4-4-51

On the other side of the fire, his head buried in his hands, sat Robert M. Phillips. Pittsburg County Sheriff Bill Alexander had issued a warrant for his arrest on suspicion of kidnaping last night.

Phillips made no attempt to escape when a posse of 13 men led by Chester Palmer, Kinta sawmill operator, surrounded him. Phillips was unarmed except for a penknife.

* * *

"I TOLD HIM to stay where he was and not to make any trouble or we'd save the state some money," Palmer said. "The girl started crying and said she was glad to see us.

"We got there about two hours too late. She said he took her into a tin pipeline shack about 200 yards away and raped her about two hours before we got there. Up until then he hadn't bothered her."

Phillips admitted to Police Chief Roy Anders that he took the girl to the shack and molested her. But he said he never actually harmed her.

Seventeen-year-old Bill Coghill, the girl's high school sweetheart, swung at Phillips but was restrained by officers when the two came face to face at the Pittsburg County Jail here.

Coghill was parked with the girl outside of McAlester's skating rink Sunday night when a man forced himself into their car and made them drive to Kinta.

* * *

THE CAR WAS STUCK in a creek south of Kinta several hours later and the abductor walked away with the girl, threatening Coghill, who did not follow.

Coghill had been held in technical custody ever since Monday morning when he spread an alarm the Parris girl had been kidnaped.

Last night he identified a picture of Phillips as the girl's abductor.

Pittsburg County Atty. S. F. Brown said he was preparing kidnap charges against Phillips.

Phillips was on parole from a three-year sentence in the El Reno (Okla.) Federal Reformatory for car theft.

He had been arrested several times by McAlester police. The last time—about two years ago—he paid a $20 fine for molesting women.

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300 POSSEMEN HUNT GIRL, 16, AND KIDNAPER

Wed. 4-4-51

Ex-Convict Trailed by Bloodhounds

McAlester, Okla., ~~April 3~~ [Special]—A posse of 300 horsemen and foot searchers using bloodhounds today was on the trail of an ex-convict believed to be the kidnaper of Jackie Parris, 16, a high school girl who has been missing since Sunday night.

The suspect is a McAlester man, about 22, who had been arrested for investigation in rape and incest cases and had served a three year reformatory term for car theft.

His picture was pointed out by Jackie's high school sweetheart, Bill Coghill, 17, her escort at the time of her disappearance, as a photograf of the man who forced his way into their parked car, made them drive around the countryside, then vanished in the woods with the girl when the car bogged down.

Tempo of Hunt Increases

The identification and two reports of a man seen skulking in the area of the girl's disappearance raised the tempo of the hunt and brought scores of armed volunteers to the scene.

A farmer near Lequire, a hamlet 45 miles northeast of McAlester, reported that last night a man and a girl, the latter resembling Jackie, ran across a field of his farm. He noticed that the girl wore gray loafer shoes, as did Jackie. At the time the farmer did not know of the girl's disappearance.

Today a second farmer near Lequire reported seeing a suspicious man on his farm. The man ran across a field and fled into the woods, the farmer said, when he approached to try to talk to him.

The scene of both incidents is about 5 miles north and 9 miles east of the place where Jackie was led sobbing into the woods about 1 a. m. Monday by a curly haired young man who carried a knife, according to Coghill's story.

Tells of Knife Threat

Coghill was being held in technical custody here as a result of some discrepancies in his story of the abduction, but authorities said today they are inclined to believe he is telling the truth.

He had said the man had a gun, but later said he carried only a knife. Coghill explained in an interview that he did not see a gun, but the kidnaper assured him, "I've got a gun if I need it, but this knife will be quieter," brandishing a long pocket knife with a wooden handle.

Coghill said he and Jackie, who know sign language, talked to each other on their hands in an occasional brief interchange as they sat side by side in terrified silence while the abductor drove their car.

Weeps Several Times

With all three in the front seat and Jackie in the middle, she spelled to Coghill: " What's wrong with his foot? " Coghill replied in finger language: " I can't see anything." He said later that Jackie apparently thought the man's ankle was twisted abnormally, but Coghill recalled that the man did not appear to limp.

Jackie wept several times, Coghill related, as they drove around the countryside for several hours after the man pushed into their car as they parked at 8:30 p. m. Sunday in front of a roller skating rink where the young couple had a date to skate.

" He didn't molest her and he didn't talk out of the way to her," Coghill said. " He didn't say much, but he asked us once, ' How would you kids like to help me rob a place.'

Young Expectant Mother Garroted Near Tulsa Home

TULSA, Okla., June 25—A young expectant mother was found garroted with a handkerchief Monday atop a grassy hill near her home.

Police said preliminary examination indicated Mrs. Dorothy Waldrop, 22, had been slain, then raped.

Tues. 6-26-51

The death occurred in the same general area in which five other women have been slain since 1942. Each of the other women was killed in her bed.

Atlanta Jour

Police Commissioner Buick Fowler said, however, that until more conclusive evidence was discovered the police are not trying to link the five deaths.

"The murderer of Monday's victim could possibly be the same man who killed the five other women," he said, "but we don't think so."

Three small boys going berry-picking found Mrs. Waldrop's fully clad body lying in high grass. Detectives said the young woman apparently had been lured or forced from her home, made to walk or was carried a few hundred yards to the hill, and there slain after a struggle.

Her husband, Robert Waldrop, taxicab company employee, told police he last saw his wife alive at 8:15 p. m. Sunday when he left for work. He said he returned home at 1 a. m., found the front door open and his wife gone. After waiting awhile, he said he called friends trying to locate her.

27h(2) 1951

Texas

8348

Nude Girl Eludes Attacker

Informer

Jet 2-20-51

AUSTIN — Nude except for one sock, a 12-year-old girl fled from a white residence the night of January 22, and sought refuge in a drug store operated in the neighborhood by a white druggist. She alleges that she was attacked by the man of the house where she had been hired to baby sit while the man's wife attended a party.

Arrested was Eugune L. Leavell, white, who has been charged with aggravated assault and turned over to the grand jury. The little girl was examined at Brackenridge hospital by Dr. Allen and released to her mother. While the attack was in progress, the three Leavell children slept peacefully in the next room.

The girl screamed several times, she said and finally pulled herself free as Leavell tried to find his gun. She ran from the house clad only in the sock. She said that the man had torn off all her clothes in an attempt to rape her, but that he had not been successful in the attempt.

Abrams Road after brutally beating them.

Rape Trial Jury Picked

Dallas, Texas
Morning News

A jury was sworn in late Monday in special criminal district court to try J. W. Connally, 18, one of three youths charged with raping two 19-year-old girls in a field north of Dallas last March.

Another jury in the same court last week sentenced a companion, Lloyd Edmonds Bowles, 21, to ten years in prison.

Visiting Judge Fred Erisman of Longview instructed Assistant District Attorneys Gene Bailey, John Grant and Wayne Woodruff to start the testimony at 9 a.m. Tuesday.

2-26-51

The state's attorneys and Defense Attorney Jimmy Martin took all day Monday to examine a 50-man jury panel.

Bowles, Connally and Clifford Dan Hendon, 18, were charged with raping the two girls in a field off

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GIRL'S KIDNAPING, RAPE ADMITTED BY MACHINIST

Dallas, Texas Morning News

A 35-year-old, red-haired Dallas machinist Wednesday night told Sheriff Bill Decker how he kidnaped and later raped a pretty 14-year-old farm girl who lives near Mesquite.

The man, John William Price, was arrested near Yantis, Wood County, early Wednesday and was brought to Dallas county jail at 5:30 p.m.

Minutes before his confession, the girl whom he abducted picked Price from a line-up of prisoners.

9-12-51

Sobbing and near collapse, she said: "I can't look at him any more. He's there. The one in the overalls."

Price, who is married and the father of two children, has been charged with rape. His case is docketed with Justice of the Peace Pierce McBride. Pending a hearing, he is being held in county jail without bond.

Price was repentant as he sat in Decker's office and poured out his story into a recording machine. Later he signed a written account of his escapade.

Deputy Sheriff Stanley Sweatt received a call from the girl's father who returned home about 6 p.m. Tuesday saying that his daughter had been kidnaped.

The 14-year-old girl had been at her home near Mesquite at 2 p.m. when a red-headed man drove up in a car.

Her parents were out and she was with her two younger brothers and a sister.

Price said he asked the girl if her father were at home. She said "no, but the he would come home about 5 or 6 p.m."

Price added that he had never seen the girl before.

—Dallas News Staff Photo.

Sheriff Bill Decker, right, fastens handcuffs on 35-year-old John William Price. Price, a Dallas machinist, admitted Wednesday night that he had kidnaped and raped a 14-year-old Mesquite girl.

He said he asked her if he could see about fixing the pump at the house for her father.

"The girl asked me to come in, and then I asked her for a drink of water," Price recalled. The girl said Price forced her into his car after he drank the water and that he was armed.

Price said that he had a revolver on the seat of the car and that when they got inside, he put it in his belt.

As the car sped off, the girl's brother and sister noted down its license tag number. Later it was given the sheriff's office and provided officers with the name and address of Price.

"I drove to a field near Seagoville," said Price, "and there I talked her into the notion. She didn't fight me."

He added that the girl had told officers he had had sexual intercourse with her three times. "She may be right," he said. "I was pretty tight."

The girl said Price forced her to have intercourse and that he repeated the act in fields near Grand Saline and near Yantis.

"I sobered up about 9:30 p.m.," Price stated, "and I put her out on a road near Quitman. I was afraid to take her home because I knew I had done wrong. I knew they (the police) were looking for me."

The girl stumbled to a nearby farm house and the residents called Quitman Sheriff C. M. Barnett.

Barnett notified Decker who had organized a search of North and East Texas for the missing girl.

A Quitman physician examined the girl and said she had been raped, Sheriff Barnett said.

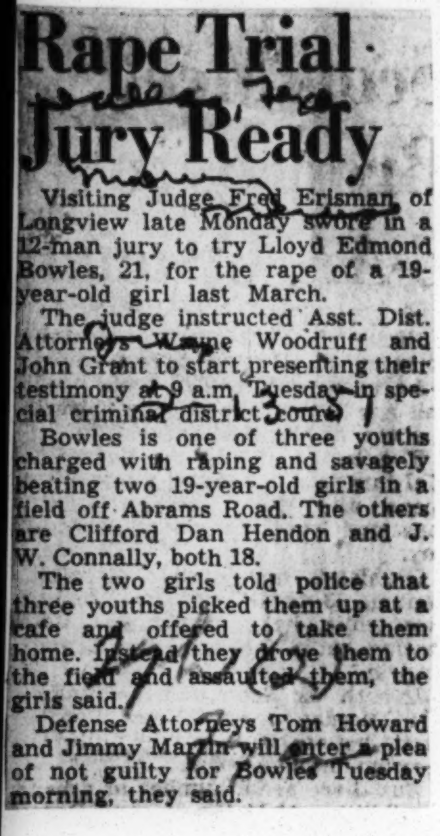
She was brought home by Decker and a hunt for Price got under way. He was found at 4 a.m. at the home of his father-in-law near Yantis.

Decker and Deputy Sheriff Jack Faulkner returned Price to Dallas County jail where he is being held.

27h(2) 1951

Texas

8350



Rape Trial Jury Ready

Dallas Tex.

Morning News

Visiting Judge Fred Erisman of Longview late Monday swore in a 12-man jury to try Lloyd Edmond Bowles, 21, for the rape of a 19-year-old girl last March.

The judge instructed Asst. Dist. Attorneys Wayne Woodruff and John Grant to start presenting their testimony at 9 a.m. Tuesday in special criminal district court.

2-13-51

Bowles is one of three youths charged with raping and savagely beating two 19-year-old girls in a field off Abrams Road. The others are Clifford Dan Hendon and J. W. Connally, both 18.

The two girls told police that three youths picked them up at a cafe and offered to take them home. Instead they drove them to the field and assaulted them, the girls said.

27h(2)

Defense Attorneys Tom Howard and Jimmy Martin will enter a plea of not guilty for Bowles Tuesday morning, they said.

27h(2) 1951 Virginia

8351

CONFESSION OF FILLING STATION ATTENDANT SOLVES RAPE-MURDER OF 10-YEAR-OLD GIRL

Mystery of Girl Found in Creek Solved When Accused Man Breaks Under Severe Grilling

3-31-51

PRISONER HAS BAD RECORD IN SEX CASES

(By Carter Jewel)

SUFFOLK, Va. — (ANP) — The mystery surrounding the disappearance of a 10-year-old Negro child here Mar. 13 was solved Thursday afternoon, Mar. 15, when a 31-year-old filling station attendant confessed to the rape-murder of the child, it was reported by Sheriff J. Frank Culpepper.

Ulysses Jones, Negro, confessed to the crime only after hours of questioning. He first agreed to carry officers to the scene where he left the victim, but denied the rape-murder charge. He said the child, Doris Chapman, had fallen from his jeep while riding through a lonely wooded section near Suffolk.

Doris' body was found about 3:30 p. m. lying face down in a small stream near Lake Kilby. She had been missing since Mar. 13—a month to a day after Suffolk Circuit court jury found Jones innocent of a charge of attempted rape brought by a Negro housewife.

27h(2)

Police Chief Lawrence B. Butler said Jones broke down after a terrific barrage of questions aimed at clearing up the mystery about the girl's disappearance. It was then that Jones agreed to show the officials where he had left the victim. Sheriff Culpepper said he had a signed confession giving the following details of the tragedy:

Va

Jones was driving his service station jeep on Mahan street shortly after noon on the day of the tragedy and stopped to wait for another car to move on. Doris asked him for a ride and he told her to get in. He then drove about three miles across town to a road leading to the wooded area, got out of the jeep went into the woods and called the child to him.

She obeyed and several hundred yards from the road, Jones made advances to her.

The child cried and he ceased his efforts after asking her not to tell what had happened. She threatened, however, to report him to her parents and he smothered her by covering her mouth and nose with his hand, while he held the back of her head with his other hand.

She became weak under the ordeal and when her legs gave way, Jones let her go and she fell into a small stream.

Another Mental Test Set For Babies' Assault Suspect

By the Associated Press

ANNAPOLIS, May 10.—Willard Lee Gray, under indictment since 1949 on charges of raping two baby nieces has been ordered back for another mental examination.

Judge Benjamin Michaelson called for the check-up yesterday before the scheduled opening of Gray's trial in Anne Arundel County Court.

27h(2)

5-10-51

Gray, 37-year-old farmhand, was arrested in a Washington bus depot on May 25, 1949, two days after he fled his brother's Pasadena house. The family had moved to Anne Arundel County from Quicksburg, Va., several months earlier.

Trial was postponed indefinitely after Gray was examined by a State Health Department psychiatrist and recommended for treatment at Spring Grove State Hospital.

Va

Used Baby Sitter Ruse, Mother Says

Farmville Commonwealth Attorney Mum About Case: Suspect Lured Daughters Out of House

FARMVILLE, Va.—The facts surrounding the case of a 29-year-old white man now being held without bail in the alleged criminal assault of a 12-year-old girl, are hush-hush in this little town of some 3,000 residents.

27h(2)

Contacted by phone by the Richmond AFRO, Monday, Commonwealth's Attorney Frank N. Watkins refused to give any information about Wayne Pace, who is accused of the attack. Mr. Watkins referred the AFRO to a Farmville paper, which he said: "Carried the only story I'm giving out."

Va —

However, the victim's mother told how her young daughter had thought she was going to baby sit, but ended up in a wild foot race at dusk with a white man in the woods on the outskirts of town.

The mother said that her two daughters, 10 and 12 years old, respectively, earned spare change by baby sitting for the neighbors They never sat for white parents.

Saturday night, the woman said, a white man came to their house saying that he lived about a mile out of town and that he and his wife wanted a baby sitter for their two children while they went to the early movie.

Oldest Girl 'Big Enough'

She said that he looked at her oldest girl and said: "She's big enough."

Afro-American

After he agreed to take both of the girls, the mother said, she and the children's grandmother, agreed to let them go, with the understanding that he was to return them immediately following the movie.

Sat. 6-9-51

Feeling a little motherly apprehension, the woman told the AFRO, she took down the car's license number as the man drove away with her two young daughters.

Baltimore, Md.

Some 45 minutes later, the mother stated, her 12-year-old daughter stumbled into the house, her clothes "all out of place," and crying, she blurted out that she had been attacked.

Caught When She Stumbled

The mother said that the child told her that instead of going to his home, the man drove about four miles out of town, to a wooded area near the Poor House Farm where he made advances.

Jumping out of the car, she quoted her oldest daughter, the two girls ran through the woods, with the man in hot pursuit. The 12-year-old girl stumbled and fell, while her 10-year-old sister scampered to freedom.

Following the attack, the girl told her mother, the man instructed her not to tell anybody what had happened.

When he returned her home, the girl took the car license number. Shortly afterwards, Pace was arrested at his home, just east of the city limits.

The 10-year-old girl was returned to her home by an uncle who was called by the people in a farmhouse where the child made her way after the race in the woods. The girls are both pupils at the Mary E. Branch Elementary School.

Watkins Finally Talks

Pace is now being held in the Prince Edward County jail. Mr. Watkins did tell the AFRO that no date has been set for the trial because: "The investigation has not been completed."

Farmville is where the 456 pupils of the Robert R. Moton School went on strike, a month ago, over what they termed "inadequate facilities." A suit has now been filed asking integrated schools there.

In Isle of Wight County, in September of 1950, a 25-year-old white man, a bridegroom of two weeks, was acquitted by an all-white jury in the alleged criminal attack of a 16-year-old high school girl. He had requested a sitter for his aged mother while he took his wife to a movie.

On June 18, a white cab driver, Charles W. Griffin, will go on trial in the Hustings Court in Petersburg for the alleged criminal assault of a 30-year-old matron.

The Prince Edward County and the Farmville NAACP are preparing for action in the attack of the 12-year-old girl, if it is needed. A committee has already been organized to press for justice in the case.

A great deal of attention is focused on the recent attack cases, following the mass executions in February of seven Martinsville men for criminally attacking one white woman. Shortly afterwards, a white man from Martinsville was acquitted of attacking a colored woman.

RAPING NEGRO WOMAN ENTIRELY DIFFERENT CRIME THAN RAPING WHITE EXPOSED IN VIRGINIA CASE

Black Dispatch

Blacks Laughed Out of Court When Negroes Prove Their Womanhood Defiled

Sat. 7-7-51

ECHOES OF MARTINSVILLE CASE HEARD

27h(2) Va

PETERSBURG, Va. — (ANP) — Recent events in Virginia shows that there is one standard of justice for white people and another for Negroes, leaders here said last week. The occasion for the statement was the acquittal of a white cab driver on a rape charge against a Negro woman.

The freeing of Cab Driver Charles Griffith on June 18 of the rape charge followed a number of other acquittals or bungling of cases in which Negroes were the plaintiffs and white people the defendants.

Vernon Firth, Martinsville filling station attendant, was recently freed of the charge of raping a Negro mother in Henry county, Va., last September. Two white youths indicted in connection with the death of Dr. G. A. Santa Cruz at Pulaski, Va., have not yet been tried. One postponement after another on the trial has been granted by the court.

Oklahoma City, Okla.

In every instsance in which a white woman accuses a Negro man of rape in Virginia, the white courts find him guilty with very few exceptions. When the case is reversed, however, the Negro woman complainant can never prove her case in the white courts.

Martin A. Martin, counsel for the Martinsville Seven, pointed out several times that the death penalty for rape in Virginia is especially reserved for Negroes. Only one white man in over a quarter of a century was given the death penalty for raping a Negro woman and his death sentence was commuted to life imprisonment. He was freed after serving only seven years.

Except in the higher federal courts, whenever the interests of whites and Negroes clash, the courts of Virginia as elsewhere in the South find in favor of white people. There is no such thing as a single standard of justice in Virginia courts nor in any other southern state or local courts.

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4 Virginians Held In Alleged Rape Of Teenage Girls

27h(2)

Va.

Post

LURAY, Va., July 6 (Special). Four men, two of whom are juveniles, charged with raping two teen-age girls July 1, have been arrested and will have a preliminary hearing July 18 before Juvenile Court Judge John H. Booton.

One of the youths is still in the Page County jail here. The other was released under $1000 bond. The two older men, whose ages were given merely as "over 21," are Calvin Michael of Elkton and Curtis Dean of McGaheysville. Dean is free under $2000 bond, with Michael still confined. The girls were described as 13 and 15 years old, and residents of the Stanley section, where the two younger men also live.

Sheriff Abram Brubaker said the arrests were made over a two-day period, the two older men being taken in Rockingham County. Commonwealth's Attorney I. R. Dovel of Page County prepared the warrant.

Taxi Driver Arrested For Raping Woman

27h(2)

Va.

PETERSBURG, Va. — (ANP) — One of the worst rape cases in recent times was uncovered here last week with the arrest of a white taxicab driver who is charged with criminal assault on a Negro woman. Police officials released the information following the arrest of the accused.

Detective Capt. R. E. Blick said the rape occurred late Thursday night. He added that Charles W. Griffith, 24, of Petersburg, admitted having sexual relations with the plaintiff who was not identified.

Call

The victim, according to Capt. Blick, was stabbed in the stomach and left leg, her clothing was cut and torn to threads and she was left lying beside a little used street about a quarter of a mile from the nearest house.

No white man in Virginia has ever served a life term for raping a Negro woman much less sentenced to be electrocuted. Seven Negro men were electrocuted in February for raping a white woman in Martinsville, Va. Except for rape, the white woman suffered no physical injuries.

Kansas City, Mo.

In contrast, a white man was charged with raping a Negro mother last September and the case was tried in Martinsville Circuit court where the Martinville seven men were convicted on raping the white woman. The defendant, Vernon Frith, a filling station, employee was freed of the charge by Judge John D. Hooker on April 6.

"Now, some people are saying, "Lets see what happens in this case.

Blick said the Griffith had a cut on his hand when he was arrested and that he explained that the woman had reached over and cut him while driving. He gave no reason, however, why she attached him.

Griffith also claimed that he was afraid of the plaintiff, yet he went into the back seat after her. Blick said. Blick also reported that Griffith said the woman must have been cut during the struggle.

Pair Abduct, Assault Bride Of Navy Man

Advertiser

Mis-Fire Of Gun Saves Girl's Life; Both Confess Crime

Wed. 6-27-51

ARLINGTON, VA., June 26—(AP)—Two kidnapers snatched a young Navy bride from her bed at gun-point early Tuesday, drove her 10 miles away, raped her four times, and mis-fired in an attempt to shoot her.

Police seized two young men four hours later and promptly charged the mwith kidnap and rape. Both charges carry the possible death penalty in Virginia.

Montgomery

Authorities said only the fact that the gun, a .22 rifle, jammed saved the victim's life.

The girl was pulled through the window of her apartment at 1 a.m., while her naval ensign husband was forced to lie helpless. During a terror-filled two-hour ride her abductors raped, choked, and beat her, and threatened her with death.

Ala.

27h(2)

The young bride was finally thrown from the kidnapers' auto in her torn nightgown.

Both Confess

Va.

Police said both the abductors—one described as cowed and the other "scared half to death"—confessed the crime.

Judge Hugh Reid held the pair without bail, and set a hearing for next Tuesday. They were locked up in the Arlington County courthouse jail.

The victim was honey-haired Mrs. Nancy Ann Hotchkiss, 20, wife of Navy Ensign James Hotchkiss, and daughter of a socially prominent Winnetka, Ill., family. She was a sophomore at Smith College last year.

Commonwealth Attorney Denham T. Rucker, promising to prosecute to the limit, told newsmen:

Stern Justice Promised

"The shocking deails of this ghastly ravishment of this young woman will be met with the sternest justice."

Police said that during the 10-mile ride to the scene of the criminal assault at Great Falls Park—a scenic spot along the Potomac known to millions of Washington visitors—the abductors demanded $1,000 from Mrs. Hotchkiss.

They also quarreled, police

conventiotn in St. Louis, from which he has just returned as a delegate. The meeting was held at the Jefferson Davis Hotel.

said, over their next move—whether to kill the young bride or hold her for ransom.

Authorities identified the abductors as:

John Robert Polk, 19, a $50-a-week "grease monkey" in an Arlington garage. He is heavily tattooed, wears a bristly crew haircut, and has a minor police record.

Advertiser

William Robert Payne, 25, of Bethesda, Md. He is an auto mechanic, a curly-haired, chubby youth, who, police said, balked at Polk's attempt to kill Mrs. Hotchkiss.

Married 10 Days

The Hotchkisses, married in Winnetka 10 days ago, had newly returned from a Florida honeymoon and settled down in a Colonial Village apartment about a mile south of Washington and the Potomac River.

Wed. 6-27-51

Ensign Hotchkiss, 23, a former Dartmouth track star, is attached to the office of Admiral Forrest P. Sherman, chief of naval operations, at the Pentagon.

27h(2)

Police said shortly after midnight Polk and Payne appeared outside the Hotchkiss' ground-floor apartment, shone a flashlight into the young couple's bedroom, and commanded the wife:

Montgomery

"Get out of there. I'll shoot. I'll count to three—"

Ala.

Police Pvt. Thomas Tracy, of Arlington, gave the following account of the next moves:

Hotchkiss, fearful for his wife's life, remained motionless in bed while Mrs. Hotchkiss slipped on a negligee, and at Polk's gun-point order, stepped through the window. Hotchkiss rushed out in pursuit, but was unable to overtake the kidnapers.

A neighbor, Ann Bricker, 16, said she saw one of the men holding Mrs. Hotchkiss' arm and twisting it behind her back. She said she heard the many say:

"You keep quiet, or I'll kill you."

27h(2) 1951

Virginia

8353

27h(2)
Va

Associated Press Wirephoto

THE RIFLE JAMMED
Mrs. James Hotchkiss

Young Bride Kidnaped And Raped

2 Suspects Held In Virginia Case

ARLINGTON, Va., June 26—(U.P.) Two ruthless young gunmen kidnaped a teen-age bride from her honeymoon bed early Tuesday, raped her four times, and might have shot her fatally if a rifle had not jammed.

The rapists were arrested barely two hours after they dragged blonde, 19-year-old Mrs. James Hotchkiss from the side of her Navy Ensign husband. Police said they had confessed. Maximum penalty for rape in Virginia is death.

The girl, who was treated at Arlington Hospital for shock and bruises, is the former Nancy McCoy, daughter of a prominent family in Winnetka, Ill., and a student at Smith College until her marriage eight days ago.

William Payne

John Polk

Her husband, Ens. James Hotchkiss, of Berwyn, Ill., has been serving as a Naval intelligence officer at the Pentagon Building since his graduation from Dartmouth last year.

HONEYMOON TRIP

Ensign and Mrs. Hotchkiss had arrived here Sunday night after a brief honeymoon trip to Florida. They moved into a ground-floor apartment in Colonial Village, a big development which houses many Government employees from nearby Washington.

Police identified the rapists as John R. Polk, 19, of Arlington, and William R. Payne, 25, of Bethesda, Md. Both have police records.

The first formal charges lodged against Polk and Payne were burglary and kidnaping. These charges were filed in Arlington County Court, which has jurisdiction over the Colonial Village area.

Great Falls, where the rapings took place, is in Fairfax County jurisdiction. Authorities said Polk and Payne probably will be prosecuted in Fairfax County for rape.

Police said Polk and Payne, who had been drinking heavily, decided sometime after midnight to go on a housebreaking venture in Colonial Village. Their original motive, according to their confession, was burglary.

SCREEN BROKEN

The youths, armed with a .22 rifle, broke through a window screen to enter the Hotchkiss apartment.

While one of the intruders covered Hotchkiss with the rifle, the other dragged the bride through the window and into a motor car.

The Naval officer, in a state of near-hysteria, telephone police as soon as the gunmen left.

Police said the kidnapers drove directly to Great Falls, Va., a popular picnic park, where each raped the girl.

Payne and Polk discussed holding their victim for ransom, but abandoned that idea and began driving back toward Arlington. They stopped en route and each assaulted the girl again. At one point they disagreed whether she should be allowed to put on her negligee again, with Polk dissenting.

WEAPON JAMMED

It was then, according to Police Pvt. Thomas Tracy, that Polk aimed the rifle at Mrs. Hotchkiss and pulled the trigger. The weapon jammed.

Payne, in his statement to Commonwealth Attorney Denman Rucker, said ne was frightened by the murder attempt and demanded that Polk promise not to harm the girl further.

When Polk did not answer, Payne said he got out of the car. He hitched a ride with Fairfax County Police Sgt. Harry Lysinger and told him what had happened.

In the meantime, Polk had driven the girl back to Arlington and let her out of the car. She ran screaming to the nearest house—which was the residence of Police Lt. W. Lynn Smith.

When she told Smith one of her attackers was a heavily-tattooed man, the officer immediately thought of Polk. Police found him cowering in a closet in the basement of his parents' home.

Sitter Held In Assault On Girl, 7

Business School Student Charged With Attack; No Bond Allowed

A 26-year-old business school student under the GI Bill of Rights was ordered held without bond yesterday on a charge of raping a 7-year-old girl he often watched as a part-time baby sitter, police said.

Post

Inspector Robert V. Murray, chief of detectives, said Joseph Sanchez of 12[illegible]5 12th st. nw., admitted assaulting the girl in the 2700 block of 14th st. nw.

Police were informed by the child's parents, who said Sanchez an dhis wife and their 9-month-old daughter lived with them until about two weeks ago. Since then, the Sanchezes have been been caring for the other couple's two children during the day.

Municipal Court Judge Thomas D. Scalley ordered Sanchez held without bond.

JOSEPH SANCHEZ
. . . admits assault, police say

Blind Singer's Assault Charges Dismissed

James Roy Hunt of 1009 Bashford la., Alexandria, insurance agent, identified by a blind night club singer as the man who raped her after a tavern party Monday night, was released for lack of evidence yesterday by United States Commissioner Stanley Wilson.

27h(2)
Va

The woman told police she met the man after she left work and they went to a tavern with another couple. She knew him only as "Jimmy," she reported. He drove the couple home, then took her elsewhere—apparently to Virginia—before the alleged attack occurred, she said.

Arrested and arraigned before Wilson on a charge of investigation of rape, the man acknowledgeu ne was intimate with the woman, but said she submitted willingly. In releasing him, Wilson said he would confer with the United States Attorney in Richmond. If he should disagree with the decision, Wilson said, a warrant would be issued for the defendant.

White Boy Charged With Attempt Rape On Girl

Daily World

GOOCHLAND, Va. —(ANP)— A 16-year-old Goochland county white boy was arrested last week and charged with the attempted rape of a 13-year-old Negro girl. The girl's parents brought charges against the youth.

Commonwealth's Attorney J. C. Knibb set August 10 tentatively for a hearing in Trial Justice Court.

Meanwhile, a charge by a Richmond white woman last week that she was attacked and raped by several Negroes five times appeared to be only a frame up. At the Medical College of Virginia hospital where the woman was examined after the alleged attack, it was reported that the examining physician found no evidence of rape.

Heretofore, almost every white woman in Virginia who has accused Negroes of rape or attempted rape, has been substantiated. On the other hand almost every Negro woman in the last year who has reported such cases to police officials has lost her case.

8-9-51

Atlanta Ga

27h(2) 1951 Washington

8352

Intern Drugs Polio Patient, 22, Rapes Her in Her Hospital Bed

Herald Tribune

Tri. 12-28-51

27h(2)

New York

SEATTLE, Dec. 27 (UP).—A twenty-nine-year-old intern admitted today he drugged a beautiful patient partly paralyzed by polio and then raped her in her hospital bed.

"I gave her a 3¼-grain shot of a sedative which I did not record in the log," Dr. Roy B. Patton said in a signed confession. "I left and then returned later when I thought she was asleep, and I got into bed with her. I had relations with her and then left." P. 30

His victim, Mrs. Theo Ford, twenty-two-year-old mother of two, said she was conscious at the time but was too weakened by the drug to fight him off. Mrs. Ford said she was afraid to tell any one what happened until her husband came during visiting hours the next night "because I was afraid of what the doctor might do to me."

[illegible]

Mrs. Ford, whose youngest child is only three months old, said the rape occurred Dec. 20 in the County Hospital polio ward.

When he heard his wife's story, Mr. Ford immediately called police and had her transferred to another hospital.

Dr. Patton, also a father of two children, was charged with rape and held in $3,000 bond.

used

8354

Opelousas Daily Blasts Tuskegee Lynching Report

Dal. 1-19-52

OPELOUSAS, La.—The Opelousas Daily World of St. Landry Parish, where one Negro was beaten so severely in the courthouse that he died later, and another who sued the registrar of voters was shot to death several months ago, last week, criticized the Tuskegee annual report on lynching.

It was in this city where Alvin H. Jones, New Orleans educator, was beaten in June, 1950, for attempting to have St. Landry Parish Negroes become registered voters.

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And it was here also where John Lester Mitchell, plaintiff in a suit against Registrar of Voters George Blanchard, was shot to death some weeks ago for being "unruly." Jones died eighteen months after being beaten.

The Daily World's editorial stated:

"The South and West, once addicted to lynch killing, have now abandoned this practice, except in so few instances as to be exceptions to a rule, rather than examples of a continued custom.

"It is curious, then, that an institution like Tuskegee, which makes much ado over its efforts to improve the lot of the Negro race in this country, and the relations of the Negro with his fellow citizens of the Caucasian race, continues to make an issue of this ancient and out-moded crime.

Tuskegee, it would seem, should find its logical course to be applauding the changing times and expressing appreciation for the scarcity of lynch mobs."

Tuskegee Reports One Lynching In 1951

P. 2

"I send you the following information on lynching for the year 1951."

Houston.

NUMBER OF LYNCHINGS According to records compiled in the Department of records and Research, Tuskegee Institute, I find that one lynching was recorded for the year. Lynchings for the past five years follow:

1951, 1, 1950, 2, 1949 3, 1948 2, 1947 1; making a Total of 9.

The 1951 victim was Melvin Womack, 26-year-old Negro of Winter Garden, Orange County, Florida. He died on March 31 in an Orlando hospital of wounds received after being forced by masked men from his home. The day following his seizure, he was found in an orange grove by an officer of the law. Taken to the hospital, he died two days later. Reports state he did not know his assailants or why he had been kidnapped. It is thought the night riders lynched the wrong man.

Dal. 1-12-52

THE GROVELAND, FLORIDA CASE Though technically not considered a lynching, this release feels called upon to direct attention to the November 6 slaying of Samuel Shepherd and the critical wounding of Walter Lee Irvin, Negroes, by an officer of the law near Umatilla, Florida. Handcuffed together, they were being removed from the Raiford State Prison to Tavares, Flordia for a new trial that had been granted them by the United States Supreme Court.

The two victims, accused with two others in July, 1949 of raping a 17-year-old white girl, had been sentenced to death. The third, a 16-year-old boy, was given life imprisonment. The fourth youth was shot to death shortly after the alleged crime by a posse.

Reversing the decision of the State courts, the United States Supreme Court ordered a new trial on the basis that "this trial took place under conditions and was accompanied by events which would deny defendants a fair trial before any kind of jury."

The officer of the law is reported to have said the "prisoners 'jumped' him' when he stopped to repair a flat tire" on a lonely road.

Bombings And Other Violence Replace Lynching

Case

TUSKEGEE INSTITUTE, Ala. — (ANP) — Although there was only one lynching recorded by the Department of Records and Research at Tuskegee Institute, during 1951, there was no indication that there was a lessening of violence among Negroes. The single lynching merely means that there has been a change in the type of violence directed at colored persons.

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The lone victim was Melvin Womack, 26, Winter Garden, Fla., who died March 31, in a hospital of wounds received after being forced by masked men from his home.

1-11-52

The day after his seizure, he was found in an orange grove by an officer of the law. Taken to the hospital, he died two days later. Reports state he did not know his assailants or why he had been kidnapped. It is thought the night riders lynched the wrong man.

But the one lynching and the three attempts at lynching do not tell the whole story. It seems that lynching, as a means of keeping Negroes in their place, has gone out of style. In its place has been substituted other forms of intimidation—all motivated by the same drives which produced bumper crops of lynching in former years.

P. 2

Among them were the "Look Rape" case in North Carolina; bombings in Dallas, Texas; the shooting and killing of a Negro who was among eight others who attempted to vote in Louisiana and the more recent bombings in Florida which resulted in the death of an executive secretary of the state NAACP.

In the "Look Rape" case, Max Ingram, a tenant farmer, was arrested and convicted for attacking a young white girl although he never came within 70 feet of her. At a later trial, a hung jury resulted and a mistrial was called.

In North Dallas, Texas, Negro homes were bombed because white people did did not want them to move there.

In Louisiana, eight Negro men attempted to register to vote. One of them later was shot in a Negro tavern by a white special policeman. There apparently was a definite relationship between the attempt to register and the shooting.

More recently, Negroes in Miami, Fla., have been the victims of bombings and other forms of intimidations. Carver Village, a colored housing project, was the object of three different bombings because whites resented their living there.

The latest—and perhaps the most galling—bombing was the one which killed Harry Moore, executive secretary of the state NAACP, and injured his wife, who later died from wounds received at that time.

In another case in Florida, one of the two original "Groveland Four" youth was shot and killed by a sheriff. The two were handcuffed together and were being transferred to another prison for a new trial granted them by the United States Supreme court. The sheriff was absolved of all blame.

At least three other lynchings were prevented. They were: An attempt on June 21 near Brundidge, Ala., to lynch Forrest Jones, 35-year-old farmer. He saved himselm from a mob by fleeing.

A rumor had been spread that he had kidnapped a white woman. The truth was that he had been given a ride to town by the young farm mother, who, on the way, had an automobile accident in which her baby was injured.

Out of gratitude for the ride, Jones had carried the bleeding baby to a doctor's office. Upon arriving home, he found the mob waiting for him. He fled and was shot in the hand. Later, the sheriff took Jones into custody and the mother verified Jones' story.

Another attempted lynching occurred at Colonial Beach, Va., when a town policeman, Charles White and a special officer were saved by other officers from a mob of some 500 persons who became incensed over the supposed mistreatment of a prisoner. The officer had been called to end a disturbance at a restaurant.

The third attempted lynching was prevented when on Nov. 22, near Washington, N. C., Lafayette Miller, 21, was removed from the jail at Greenville, to an eastern state prison. He was charged with killing a young white farmer and abducting the victim's wife in the trunk of the stolen automobile.

Tuskegee Reports Only One Lynching For '51

[illegible] Jan. 1-5-52

Chicago, Ill.

TUSKEGEE, Ala. — (INS) — One lynching and three attempted lynchings that were prevented were reported Monday for the year 1951 by Tuskegee Institute.

Institute President F. D. Patterson pointed out that it was the first year since 1947 that recorded lynchings have been so low. One was reported for 1947, two in 1948, three in 1949 and two last year.

The report covers the entire nation, but all four incidents mentioned occurred in southern states.

P. 1

The single death judged by the institute to be a lynching was that of Melvin Womack, 26-year-old Negro of Winter Garden, Fla.

27

Womack died on March 31 in an Orlando, Fla., hospital of wounds received after a band of masked men forced him from his home. President Patterson, noting that the reason for the attack was never determined, said, "it is thought the night riders lynched the wrong man."

Defender

The fatal shooting of Samuel Shepherd, another Florida Negro, was specifically mentioned by Patterson in his annual report, although the death was "technically not considered a lynching."

Jan 1-5-52

Shepherd, facing a second trial on charges of criminally assaulting a white girl at Groveland, Fla., was fatally shot by a sheriff who said he fired in self-defense. The sheriff was absolved of blame.

1. Forrest Jones, 35-year-old Negro farmer, saved himself by fleeing from a mob which heard a rumor that Jones had "kidnapped a white woman" near Brundidge, Ala., June 21. The rumor later was shown to be untrue.

2. On Sept. 2, at Colonial Beach, Va., town policeman Charles White and a special officer were saved by other officers from a mob of 500 angered over alleged mistreatment of a prisoner.

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3. On Nov. 22, the report said, Lafayette Miller, 21-year-old Negro, was removed from a Greenville, N. C., jail to another section of the state because "he probably would have been lynched." He was charged with slaying a white farmer and abducting the farmer's wife.

The Tuskegee president said that 1951 saw significant anti-lynching legislation proposed. The South Carolina house of representatives approved such a bill. A similar measure was proposed in the Florida legislature. Both measures would provide the death penalty for "first degree lynching," where mob action results in death for the victim.

27i 1951 Report on, Sent Press

NEGRO PRESS

8355

Bloody Florida has year's only U. S. lynching

27i

TUSKEGEE—The year 1951 saw but one lynching, Tuskegee Institute's Department of Records and Research, which annually compiles for the U. S. its most grisly box score, reported last week.

In a year which also saw the apparently wanton slaying of Samuel Shepherd, one of four youths accused of the Groveland rape, and the tragic Christmas night bomb deaths of Mr. and Mrs. Harry T. Moore, Tuskegee recorded only the death of Melvin Womack, 26, of Orange County, Fla., as a lynching.

Death of Shepherd did not qualify as a lynching because Sheriff Willis McCall, who killed him, was absolved of blame by a coroner's jury; however, the Tuskegee summary, released over the signature of Institute president Frederick D. Patterson, commented: "This is a glaring instance where an officer of the law seems unnecessarily to have killed a prisoner and wounded another with whose care he was entrusted."

P. 5

1-12-52

Obviously, the Tuskegee report was compiled before the Moore bombing, which claimed the life of the Naacp coordinator on Dec. 25, his wife dying on Jan. 3 from her injury.

Los Angeles

The Moore bombing climaxed a year of unprecedented lawlessness and terrorism against Negroes in Florida, beginning with the lynching on Mar. 31 of Womack, who was seized from his home by masked men and found in an orange grove, fatally injured. Womack did not know his assailants, nor why he had been kidnapped; it was thought that the night riders lynched the wrong man.

The killing of Shepherd occurred Nov. 6 as he and Walter Lee Irvin were being removed from the Raiford State Prison to Tavares, Fla. for a new trial, granted by the U. S. Supreme Court. Irvin was seriously wounded by Sheriff McCall; however, he is recovering.

Soon after the alleged rape in 1949 of the 17-year-old white girl, one of the four accused was shot to death by a posse. A second, 16-year-old, was given life in prison. The Naacp had since be-

fighting for the lives of Shepherd and Irvin in court.

Sheriff McCall claimed that Irvin and Shepherd jumped him on a lonely road. However, Irvin reported that the sheriff shot both without provocation.

THREE LYNCHINGS PREVENTED

1951 was the first year to have only one lynching since 1947. 1950 had two; 1949, three; 1948, two.

Lynchings were prevented in at least three instances, Tuskegee reported: on June 21 near Brundidge, Ala. when Forrest Jones, a farmer, saved himself from a mob by fleeing until a young white woman could explain the circumstances of her having accepted a ride into town from him after an automobile accident;

On Sept. 8, at Colonial Beach, Va., when a town policeman, Charles White, and a special officer were saved by other officers from a mob resenting alleged mistreatment of a prisoner;

On Nov. 22, near Washington, N. C. when Lafayette Miller, 21, was removed from jail to an eastern prison "because he probably would have been lynched" for the killing of a white farmer and abduction of the victim's wife.

Ironically, bloody Florida was one of two southern states in 1951 to propose anti-lynching bills, Tuskegee stated. The Florida legislature proposed, but has not passed, a bill giving death as maximum punishment for "first degree lynching," each participant in the crime being equally guilty. Minimum penalty would be five years imprisonment; second degree lynching would be punished by a maximum of 10 years imprisonment.

South Carolina's House of Representatives passed its bill 51-34, distinguishing between first and second degree lynching as having fatal and near-fatal results, respectively. The first would be punishable by death, or upon recommendation of mercy by a jury to five to 40 years in prison; the second, three to 20 years in prison.

Opinion Varies Over "Single Lynching"

CHICAGO.—(ANP)—The single lynching recorded by the Department of Records and Research at Tuskegee Institute during 1951 has caused mixed reaction thruout the country.

Many southern newspapers have cited the single instance of lynching as a sign of progress and a lessening of violence directed against Negroes.

27i

Left-wing organizations, on the other hand, referred to one lynching as "totally misrepresenting." Perhaps a truer picture can be found somewhere between the two extremes.

Black Dispatch

A columnist for a southern newspaper, the Dallas Morning News, in commenting on the single lynching said:

P. 4

"Thus mob killing has almost reached the vanishing point. The decline has come not from federal law but from state and local action, backed by aroused public opinion.

Sat. 1-26-52

"Last year three threatened lynchings were prevented by prompt and courageous local action . . . One must go back nearly half a century to find lynching as a practice at all common. Dependable statistics began only about 1885. For the five years after that lynchings averaged 151 a year."

Oklahoma City

However, the Civil Rights Congress, a left-wing organization, said in regard to the report that the statistics alone do not tell the true story. It referred to the report as being:

"Totally misrepresenting because police killings and courtroom legal lynching of Negroes are now the rule in many cases where racist mob violence is made impossible by Negro militancy, Negro-white unity or world opinion."

Disagreeing with Tuskegee's definition of a lynching only as death suffered at the hands of a mob, the CRC listed four 'major methods of lynching" of Negroes in 1951 and asserted that hundreds of Negroes—the exact number is almost impossible to determine—were lynched in 1951."

The four methods listed by CRC are:

1. Legal lynchings—committed through a joint conspiracy of all ment, state governments and lower courts.

2. Police lynchings—committed by officers of government in every section of the country with exoneration by their higher local, state and federal officials always assured.

3. Quiet lynchings—committed by small terrorist mobs and police officers especially in the South, in which Negro victims are found dead or "disappear."

4. Mass lynching attacks—committed against Negro communities or against Negroes seeking to move out of Negro ghettoes by racist mobs and police officials.

Thus the CRC seems to feel that most instances of violence against Negroes must be classified as lynchings. This view is perhaps as extreme as the views of southern writers who see in the one lynching a relationship of "sweetness and light" between Negroes and whites in the South.

Probably neither view tells the whole story. The one lynching recorded merely means that there has been a change in the type of violence directed against Negroes.

Although Melvin Womack, 26, Winter Garden, Fla., was the only person to be formally listed as a victim of lynching, three other persons narrowly escaped and many others were the objects of violence.

Lynching itself, as a means of keeping Negroes in their place, seems to have gone out of style. In its place has been substituted other forms of intimidation—all motivated by the same drives which produced bumper crops of lynchings in former years.

Among them were the "Look" rape case in North Carolina; bombings in Dallas, Texas; the shooting and killing of a Negro who was among eight who attempted to vote in Louisiana, and the more recent bombings in Florida which resulted in the death of Mr. and Mrs. Harry T. Moore.

Also the bombings of Carver Village, a housing project for colored in Miami, Fla., and the shooting of one of the two remaining "Groveland Four" youths by a sheriff. So it seems that while lynching itself has decreased, but its spirit as manifested in other forms of violence — still goes marching on.

Fear Wrong Man Was Lone Victim

Journal and Guide

P. 1 27i

Sheriff's Slaying Of Fla. Prisoner Cited In Report

Norfolk Va.

TUSKEGEE, Ala. (INS) — Tuskegee Institute reported last week that one lynching and three attempted lynchings occurred in the United States in 1951. The report covers the entire nation, but all four incidents mentioned occurred in Southern states.

Institute President Dr. F. D. Patterson pointed out [illegible] the first year since 1947 that recorded lynchings have been so low. One was reported for 1947, two in 1948, three in 1949 and two last year.

The single death judged by the Institute to be a lynching was that of Melvin Womack, 26-year-old Negro of Winter Garden, Fla.

Sat. 1-5-52

Womack died on March 31 in an Orlando, Fla. hospital of wounds received after a band of masked men forced him from his home. President Patterson, noting that the reason for the was never determined, said "It is thought that night riders lynched the wrong man."

The fatal shooting of Samuel Shepherd, another Florida Negro, was specifically mentioned my Dr. Patterson in his annual report, although the death was "technically not considered a lynching."

Shepherd, facing a second trial on charges of criminally assaulting a white girl at Groveland, Fla., was fatally shot by a sheriff who said he fired in self-defense. The sheriff was absolved of blame.

The Tuskegee president listed

as attempted lynching: Forrest Jones, 35-year-old Negro farmer who saved himself by fleeing from a mob which heard a rumor that Jones had "kidnapped a white woman" near Brundidge, Ala., on June 21. The rumor later was shown to be untrue.

Journal Guide

On Sept. 2, at Colonial Beach, Va., town policeman Charles White and a special officer were saved by other officers from a mob of 500 angered over alleged mistreatment of a prisoner.

1-5-52

On Nov. 22, the report said Lafayette Miller, 21-year-old Negro was removed from a Greenville, N. C. jail to another section of the State because "he probably would have been lynched." He was charged with slaying a white farmer and abducting the farmer's wife.

The Tuskegee President said that 1951 saw significant anti-lynching legislation proposed. The South Carolina House of Representatives approved such a bill. A similar measure was proposed in the Florida Legislature. Both measures would provide the death penalty for "first degree lynching," mob action results in deat the victim.

271 1951

REPORT ON, SENT PRESS

NEGRO PRESS

8356

TUSKEGEE REPORTS 1 LYNCHING IN THE U. S. DURING PAST YEAR

Oklahoma City, Okla.

Various Types of Violence, Both Legal And Illegal, Entirely Overlooked in Estimate

ONE NEGRO SHOT TRYING TO VOTE

TUSKEGEE INSTITUTE, Ala. — (ANP) — Although there was only one lynching recorded by the Department of Records and Research at Tuskegee Institute, during 1951, there was no indication that there was a lessening of violence among Negroes. The single lynching merely means that there was a lessening of violence among Negroes. The single lynching merely means that there has been a change in the type of violence directed at colored persons.

The lone victim was Melvin Womack, 26, Winter Garden, Fla., who died March 31, in a hospital of wounds received after being forced by masked men from his home.

Dal. 1-12-52

The day after his seizure, he was found in an orange grove by an officer of the law. Taken to the hospital, where he died two days later. Reports state he did not know his assailants or why he had been kidnapped. It is thought the night riders lynched the wrong man.

But the one lynching and the three attempts at lynching do not tell the whole story. It seems that lynching, as a means of keeping Negroes in their places, has gone out of style. In its place has been substituted other forms of intimidation—all motivated by the same drives which produced bumper crops of lynching in former years.

Among them were the "Look Rape" case in North Carolina; bombings in Dallas, Texas; the shooting and killing of a Negro who was among eight others who attempted to vote in Louisiana, and the more recent bombings in Florida which resulted in the death of an executive secretary of the state NAACP.

In the "Look Rape" case, Ma Ingram, a tenant farmer, was arrested and convicted for attacking a young white girl although he never came within 70 feet of her. At a later trial, a hung jury resulted and a mistrial was called

In North Dallas, Texas, Negro homes were bombed because white people did not want them to move there.

In Louisiana, eight Negro men attempted to register to vote. One of them later was shot in a Negro tavern by a white special policeman. There apparently was a definite relationship between the attempt to register and the shooting.

Black Dispatch

More recently, Negroes in Miami, Fla., have been the victims of bombings and other forms of intimidations. Carver Village, a colored housing project, was the object of three different bombings because whites resented their living there.

The latest—and prehaps the most galling—bombing was the one which killed Harry Moore, executive secretary of the state NAACP, and injured his wife, who later died from wounds received at that time.

In another case in Florida, one of the two original "Groveland Four" youth was shot and killed by a sheriff. The two were handcuffed together and were being transferred to another prison for a new trial granted them by the United States Supreme court. The sheriff was absolved of all blame.

At least three other lynchings were prevented. They were: An attempt on June 21 near Brundidge, Ala., to lynch Forrest Jones, 35 year old farmer. He saved himself from a mob by fleeing.

A rumor had been spread that he had kidnapped a white woman. The truth was that he had been given a ride to town by the young farm mother, who, on the way, had an automobile accident in which her baby was injured.

Out of gratitude for the ride, Jones had carried the bleeding baby to a doctor's office. Upon arriving home, he found the mob waiting for him. He fled and was shot in the hand. Later, the sheriff took Jones into custody and the mother verified Jones' story.

Another attempted lynching occurred at Colonial Beach, Va., when a town policeman, Charles Whitet and a special officer were saved by other officers from a mob of some 500 persons who became incensed over the supposed mistreatment of a prisoner. The officer had been called to end a disturbance at a restaurant.

The third attempted lynching was prevented when on Nov. 22, near Washington, N. C., Lafayette Miller, 21, was removed from the jail at Greenville to an eastern state prison. He was charged with killing a young white farmer and abducting the victim's wife in the trunk of the stolen automobile.

TUSKEGEE INSTITUTE reports one lynching in 1951 (in Florida, of course), one killing (also in Florida) "technically" not a lynching since the sheriff did it all by himself; and three near lynchings (in Va., Ala. and N. C.), one of them white. The statistics do not include the bombing to death of the martyred Mr. Moore of Mims. Write your own commentary!

1-12-52

ONE LYNCHING IN 1951

But It Wasn't the Groveland Case

1-12-52

TUSKEGEE, Ala.—Only one official lynching was recorded by the Department of Records and Research at Tuskegee Institute for the year 1951, according to reports released this week by the Institute. The lone victim was 26-year-old Melvin Womack, a Negro, of Winter Garden, Orange County, Fla.

The report discussed the Groveland, Fla., case, saying that while "technically not considered a lynching," direct attention should be called to it. The report cites three instances in which lynchings were prevented. One was at Brundidge, Ala., in June; another at Colonial Beach, Va., in September and the third on Nov. 22 at Washington, N. C. Two lynchings were reported in 1950.

Womack died in an Orlando, Fla., hospital on March 31 from wounds received after being forced from his home by masked men. Two days later he was found in an orange grove. He was unable to say who his assailants were or why he had been kidnapped. It is thought that night riders lynched the Florida Negro.

jail and lynching William Felder, 28, for killing a girl after attempting to rape her. All principals were Negroes.

Los Angeles

Calif.

The Tuskegee report contained reservations, however. Stemming undue enthusiasm over the no-lynch report, it said soberly, "It appears important to the welfare of our country to state that while lynching as one form of extra-legal punishment seems to be steadily declining, other rather similar forms of violence and lawlessness have not declined. Indeed, there appear to be too many cases of unnecessary brutality and killings by officers of the law of persons suspected or guilty of crimes; and a resurgence of the mob spirit as expressed in beatings, floggings, incendiarism, bombings, and the like."

P. 9

The Institute noted bombings in 13 states and 27 cities and towns of the U. S., and warned against this form of terrorism as having an "incalculable . . . potential for destruction of life and property." It made note of the 1951 bomb deaths of Mr. and Mrs. Harry T. Moore, of Mims, Fla., and observed that occupants of other bombed homes had been "more fortunate", but pointed out that, "Only chance has kept human casualties low, although property destruction has been high."

"As they relate to Negroes, bombing of homes and other property has taken place mainly where members of the race have moved or attempted to move into what were considered white neighborhoods. In a few cases, bombing has occurred where Negro leaders were thought to be too active in improving the status of their people," the report stated, continuing: Jewish institutions and at least one Catholic church have been the targets. Homes and property of other whites, who in one way or another had incurred the enmity of the bombers, have not been exempt from blasts.

Bombing is confined to no section of the country. Recently it has become more prevalent in the South.

"For the four years, at least 68 instances of bombing or attempted bombing were recorded, connected in the main with racial and religious tensions: 49 of these were directed against Negroes; 10 against whites and public institutions; at least 8 against Jewish synagogues, schools and community centers."

"Bomb states" have been: California, Alabama, Florida, Georgia, Louisiana, Missouri, Illinois, Ohio, North Carolina, Pennsylvania, Tennessee, Texas, and Virginia.

Tuskegee says 'no lynching' in 1952

TUSKEGEE—For the first time in 70 years of record keeping, Tuskegee Institute's Dept. of Records and Research has "no lynchings, as such, to report for 1952," it was announced today.

By the "criteria" used by the Institute in tabulating lynchings, not one person's life was taken by that ~~means last~~ year, the Institute stated.

1-9-52

One case of a "Lynching Prevented" was listed, involving relatives of a 16-year-old school girl in Columbia, S. C., who talked 50 men out of storming the county

One Lynching — Much Violence

The Tuskegee Department [illegible] Records and Research has released its annual report of lynching for 1951. Only one lynching, the unsolved killing of a Florida Negro by four masked white men, is recorded by the Institute.

Record

If it were not for so many other incidents of violence and death, not attributable to the mob in the strictest sense but mob action just the same, we would be inclined to rejoice over that achievement. But who among us is willing to think of the slaying by the Sheriff in the Groveland case as the act of only one person. To be sure, there may not have been only the Sheriff in the act itself. But circumstances surrounding the case, including subsequent developments, force us to believe that the slaying had its ramifications in the minds of other persons than that of the Sheriff's. Hence, to all intents and purposes, that slaying, no less than the death of Harry T. Moore at Mims, Florida is the result of a planned campaign just as surely as if they had died at the hands of a mob. The end results are quite the same.

Jan. 1-1-52 Atlanta Ga

But be that as it may, we can have no special reason for rejoicing as long as there remains one lynching to shame America in other lands. America is condemned as long as there is a lynching to blot its good name in other lands. But we are making progress, even if lynching has gone underground in the form of police slayings and killings by sheriffs and their deputies. We cannot read out this form of violence and feel satisfied that our record is clear.

Tuskegee Records 1 Lynching

Call
P. 1
Jan. 1-4-52

Groveland Case Cited But Not Officially Listed

Kansas City Mo

TUSKEGEE INSTITUTE — According to the records compiled in the Department of Records and Research at Tuskegee, only one lynching occurred during 1951.

The one 1951 victim was Melvin Womack, 26-year-old man of Winter Garden, Orange county, Fla. He died on March 31 in an Orlando hospital of wounds received after being forced by masked men from his home. The day following his seizure, he was found in an orange grove by an officer of the law. Taken to the hospital, he died two days later.

Reports state that he did not know his assailants or why he had been kidnapped. It is believed that the night riders lynched the wrong man.

The Tuskegee department of records and research did not list the Groveland, Fla., slaying as a lynching. In its annual report, it called attention to this case, however, saying:

Call

"Though technically not considered a lynching, this release feels called upon to direct attention to the November 6 slaying of Samuel Shepherd and the critical wounding of Walter Lee Irvin by an officer of the law near Umatilla, Fla. Handcuffed together, they were being removed from the Raiford State prison to Tavares, Fla., for a new trial that had been granted by the United States Supreme Court.

"The two victims, accused with two others in July, 1949, of raping a 17-year-old white girl, had been sentenced to death. The third, a 16-year-old boy, was given life imprisonment. The fourth youth was shot to death shortly after the alleged crime by a posse.

1-4-52

"Reversing the decision of the state court, the United States Supreme Court ordered a new trial on the basis that 'this trial took place under conditions and was accompanied by events which which would deny defendants a fair trial before any kind of jury.'

"The officer of the law is reported to have said the 'prisoners jumped him when he stopped to repair a flat tire on a lonely road. The surviving victim reported that both he and the dead prisoner were shot without provocation. The sheriff concerned was absolved from all blame by a coroner's jury. This is a glaring instance where an officer of the law seems unnecessarily to have killed a prisoner and wounded another with whose care he was entrusted."

In 1950, there were 2 lynchings, in 1949, 3; in 1948, 2, and in 1947, 1.

The Tuskegee report lists three instances in which lynchings were prevented.

On June 21, near Brundidge, Ala., Forrest Jones, 35-year-old Negro farmer, saved himself from a mob by fleeing. A rumor had been spread that he had "kidnapped a white woman." The truth of the matter was he had been given a ride to town by the young mother, who on the awy, had an automobile accident in which her baby was injured.

On September 2, at Colonial Beach, Va., a town policeman, Charles White, and a special officer were saved by other officers of the law from a mob approximating 500 persons who became incensed over the alleged mistreatment of a prisoner. The officer had been called to quell a disturbance at a restaurant.

On Nov. 22, near Washington, N. C., Lafayette Miller, 21-year-old Negro on parole, was removed from the jail at Greenville to an eastern North Carolina prison because "he probably would have been lynched." He was charged with killing a young white farmer and abducting the victim's wife in the trunk of the stolen automobile.

Two states in 1951 proposed anti-lynching bills of significance. In South Carolina, a House of Representative majority passed an anti-lynching bill, after a decisive second reading, on a 51-34 vote. The bill would give punishment of death for "first degree" lynching; that is, where mob action resulted in the victim's death.

The Florida legislature also proposed an anti-lynching bill somewhat similar to the South Carolina proposal, also giving death as the maximum punishment for "first degree lynching."

27i 1951 REPORT ON, SENT PRESS NEGRO PRESS

8357

1 Lynching in 1951 Recorded by Tuskegee Annual Report

P. 1 California Voice Fri. 1-4-52

TUSKEGEE INSTITUTE, Ala., Jan. 1—According to records compiled in the Department of Records and Research, Tuskegee Institute, it was found that one lynching was recorded for the year. Lynchings for the past five years follow:

Oakland

1951, 1; 1950, 2; 1949, 3; 1948, 2; 1947, 1; total, 9. only

The 1951 victim was Melvin Womack, 26 year old Negro of Winter Garden, Orange County, Florida. He died on March 31 in an Orlando hospital of wounds received after being forced by masked men from his home. The day following his seizure, he was found in an orange grove by an officer of the law. Taken to the hospital, he died two days later. Reports state he did not know his assailants or why he had been kidnapped. It is thought the nightriders lynched the wrong man.

1-4-52

The Groveland Florida case, though technically not considered a lynching, this release feels called upon to direct attention to the November 6 slaying of Samuel Shepherd and the critical wounding of Walter Lee Irvin, Negroes, by an officer of the law near Umatilla, Florida. Handcuffed together, they were being removed from the Raiford State Prison to Tavares, Florida, for a new trial that had been granted them by the United States Supreme Court.

The two victims, accused with two others in July, 1949, of raping a 17-year old white girl, had been sentenced to death. The third, a 16 year old boy, was given life imprisonment. The fourth youth was shot to death shortly after the alleged crime by a posse.

Reversing the decision of the State court, the United States Supreme Court ordered a new trial on the basis that "this trial took place under conditions and was accompanied by events which would deny defendants a fair trial before any kind of jury."

The officer of the law is reported to have said the "prisoners 'jumped him' when he stopped to repair a flat tire" on a lonely road. The surviving victim reported that both he and the dead prisoner were shot without provocation. The sheriff concerned was absolved from blame by a Coroner's jury. This is a glaring instance where an officer of the law seems unnecessarily to have killed a prisoner and wounded another with whose care he was entrusted.

Lynchings Prevented

Lynchings were prevented in at least three instances: On June 21, near Brundidge, Alabama, a Forrest Jones, 35 year old Negro farmer, saved himself from a mob by fleeing. A rumor had been spread that he had "kidnapped a white woman." The truth of the matter was he had been given a ride to town by the young farm mother, who on the way had an automobile accident in which her baby was injured. Out of gratitude for the ride, Jones had carried the bleeding baby to a doctor's office. Upon arriving home he found the mob awaiting him. As he fled, he was shot in the hand. Shortly thereafter, the sheriff took Jones into custody and [illegible] of what had actually happened.

[illegible] at Colonial Beach, Virginia, a town policeman, Charles White and a special officer were saved by other officers of the law from a mob approximating 500 persons who became incensed over the alleged mistreatment of a prisoner. The officer had been called tto quell a disturbance at a restaurant.

On Nov. 22, near Washington, North Carolina, LaFayette Miller, 21 year old Negro on parole, was removed from the jail at Greenville to an eastern North Carolina prison because "he probably would have been lynched." He was charged with killing a young white farmer and abducting the victim's wife in the trunk of the stolen automobile.

Significant Legislation Proposed

Two states in 1951 proposed anti-lynching bills of significance. In South Carolina, House of Representatives majority passed an anti-lynching bill, after a decisive second reading, on a 51-34 vote. The bill would give punishment of death for "first degree" lynching; that is, where mob action resulted in the victim's death. Recommendation of mercy by a jury would mean 5 to 40 years imprisonment. The bill also takes cognizance of non-fatal mob action or "second degree" lynching. Punishment under this charge would result in imprisonment from 3 to 20 years. Thus intention to lynch would be penalized.

The Florida Legislature also proposed an anti-lynching bill somewhat similar to the Couth Carolina proposal, alsot giving death as the maximum punishment for "first degree lynching" each participant in the lynchhing being equally guilty. Minimum penalty for the crime would be 5 years' imprisonment. "Second degree lynching" could be punished by a maximum of 10 years' imprisonment.

Tuskegee Releases U. S. Lynch Report For 1951

Argus. Fri. 1-4-52. P.3

TUSKEGEE, Ala.—Tuskegee Institute has released a report on lynching in the United States for the year 1951, according to F. D. Patterson, president.

Compiled in the Department of Records and Research, Tuskegee Institute has reported a total of nine lynchings for the past five years. Beginning in 1947 the number of lynchings per year are listed as follows: 1947, 1; 1948, 2; 1949, 3; 1950, 2 and 1951, 1.

The report cites Melvin Womack, 26, of Winter Garden, Fla., as the 1951 victim. Womack died on March 31 in an Orlando hospital of wounds received after being forced from his home by masked men. The day after his seizure he was found in an orange grove by a law officer.

The report lists two states, South Carolina and Florida, as having passed significant legislation to combat lynching. Of the South Carolina action the report states "the Bill would give punishment of death for first degree lynching; that is, where mob action resulted in the victim's death. Recommendation of mercy by a jury would mean five to 40 years imprisonment. The bill also takes cognizance of non-fatal mob action or "second degree" lynching. Punishment under this charge would result in imprisonment from 3 to 20 years.

"The Florida Legislature also proposed an anti-lynching bill somewhat similar to the South Carolina proposal, giving death as the maximum punishment for "first degree lynching..."

Three instances of lynchings being prevented are reported.

With reference to the Groveland case the report states "Though technically not considered a lynching, this release feels called upon to direct attention to the November 6 slaying of Samuel Shepherd and the critical wounding of Walter Lee Irvin....This is a glaring incident where an officer of the law seems unnecessarily to have killed a prisoner and wounded another with whose care he was entrusted."

Tuskegee Records Fla. Death As Year's Blot

Lighthouse Int. 1-5-52

Tuskegee Institute, Ala.—According to records compiled in the Department of Records and Research, Tuskegee Institute, ONE lynching was recorded for the year. Lynchings for the past five years follow: P. 1

1951, 1; 1950, 2; 1940, 3; 1948 2; 1947, 1; Total, 9.

The 1951 victim was Melvin Womack, 26-year- old Negro of Winter Garden, Orange County, Florida. He died on March 31 in an Orlando hospital of wounds received after being forced by masked men from his home. The day following his seizure, he was found in an orange grove by an officer of the law. Taken to the hospital, he died two days later. Reports state he did not know his assailants or why he had been kidnapped. It is thought the night riders lynched the wrong man.

The Groveland, Fla. Case

Though technically not considered a lynching, this release feels called upon to direct attention to the November 6 slaying of Samuel Shepherd and the critical wounding of Walter Lee Irvin, Negroes, by an officer of the law near Umatilla, Florida. Handcuffed together they were being removed from the Raiford State Prison to Tavares, Florida for a new trial that had been granted them by the United States Supreme Court.

The two victims, accused with two others in July, 1949 of raping a 17-year-old white girl, had been sentenced to death. The third, a 16-year old boy, was given life imprisonment. The fourth youth was shot to death shortly after the alleged crime by a posse.

Reversing the decision of the State court, the United States Supreme Court ordered a new trial on the basis that "this trial took place under conditions and was accompanied by events which would deny defendants a fair trial before any kind of jury."

The officer of the law is reported to have said the prisoners 'jumped him' when he stopped to repair a flat tire" on a lonely road. The surviving victim reported that both he and the dead prisoner were shot without provocation. The sheriff concerned was absolved from all blame by a Coroner's jury. This is a glaring instance where an officer of the law seems unnecessarily to have killed a prisoner and wounded another with whose care he was entrusted.

Lynchings Prevented

Lynchigs were prevented in at least THREE instances: On June 21, near Brundidge, Alabama, Forrest Jones, 35-year old Negro farmer, saved himself from a mob by fleeing. A rumor had been spread that he had kidnapped a white woman." The truth of the matter was he had been given a ride to town by the young farm mother, who, on the way, had an automobile accident in which the baby was injured. Out of gratitude for the ride, Jones had carried the bleeding baby to a doctor's office. Upon arriving home, he found the mob awaiting him. As he fled, he was shot in the hand. Shortly thereafter, the sheriff took Jones into custody and the mother verified Jones' story of what had actually happened.

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Columbia

On November 22, near Washington, North Carolina, Lafayette Miller, 21-year old Negro on parole, was removed from the jail at Greenville to an eastern North Carolina prison because "he probably would have been lynched." He was charged with killing a young white farmer and abducting the victim's wife in the trunk of the stolen automobile.

Significant Legislation Proposed

Two states in 1951 proposed anti-lynching bills of significance. In South Carolina, a House of Representatives majority passed an anti-lynching bill, after a decisive second reading, on a 51-34 vote. The bill would give punishment of death for "first degree" lynching; that is, where mob action resulted in the victim's death. Recommendation of mercy by a jury would mean 5 to 40 years imprisonment. The bill also takes cognizance of non-fatal mob action or "second degree" lynching. Punishment under this charge would result in imprisonment from 3 to 20 years. Thus intention to lynch would be penalized.

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Tuskegee Records 1 Lynching

Call

P. 1

Kansas City Mo.

Groveland Case Cited But Not Officially Listed

Jan. 1-4-52

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The one 1951 victim was Melvin Womack, 26-year-old man of Winter Garden, Orange county, Fla. He died on March 31 in an Orlando hospital of wounds received after being forced by masked men from his home. The day following his seizure, he was found in an orange grove by an officer of the law. Taken to the hospital, he died two days later.

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Jan. 1-4-52

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THE GRAB BAG

Forest City, N.C.
Courier Times 1-3-52

By Clarence Griffin

The Tuskegee Institute, of Tuskegee, Ala., founded by the late Booker T. Washington, issues at each year's end a report on lynchings in the nation. This year they have only one lynching to report. Their publicity releases on this subject are always interesting, therefore we are using their 1951 release for today's "Grab Bag," written by that institution's great president, Dr. F. D. Patterson.

P. 1 Section 2

Number of Lynchings. According to records compiled in the Department of Records and Research, Tuskegee Institute, I find that one lynching was recorded for the year. Lynchings for the past five years follow:

1951	**1**
1950	**2**
1949	**3**
1948	**2**
1947	**1**
Total	**9**

* * * * *

The 1951 victim was Melvin Womack, 26-year-old Negro of Winter Garden, Orange County, Florida He died on March 31 in an Orlando hospital of wounds received after being forced by masked men from his home. The day following his seizure, he was found in an orange grove by an officer of the law. Taken to the hospital, he died two days later. Reports state he did not know his assailants or why he had been kidnapped. It is thought the night riders lynched the wrong man.

* * * * *

The Groveland, Florida Case. Though technically not considered a lynching, this release feels called upon to direct attention to the November 6 slaying of Samuel Shepherd and the critical wounding of Walter Lee Irvin, Negroes, by an officer of the law near Umatilla, Florida. Handcuffed together, they were being removed from the Raiford State Prison to Tavares, Florida for a new trial that had been granted them by the United States Supreme Court.

* * * * *

The two victims, accused with two others in July 1949 of raping a 17-year-old white girl, had been sentenced to death. The third, a 16-year-old boy, was given life imprisonment. The fourth youth was shot to death shortly after the alleged crime by a posse.

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Reversing the decision of the State court, the United States Supreme Court ordered a new trial on the basis that "this trial took place under conditions and was accompanied by events which would deny defendants a fair trial before any kind of jury."

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The officer of the law is reported to have said the "prisoners 'jumped him' when he stopped to repair a flat tire" on a lonely road. The surviving victim reported that both he and the dead prisoner were shot without provocation. The sheriff concerned was absolved from all blame by a Coroner's jury. This is a glaring instance where an officer of the law seems unnecessarily to have killed a prisoner and wounded another with whose care he was entrusted.

* * * * *

Lynchings Prevented. Lynchings were prevented in at least three instances: On June 21, near Brundidge, Alabama, Forrest Jones, 35-year-old Negro farmer, saved himself from a mob by fleeing. A rumor had been spread that he had "kidnapped a white woman." The truth of the matter was he had been given a ride to town by the young farm mother, who, on the way, had an automobile accident in which her baby was injured. Out of gratitude for the ride, Jones had carried the bleeding baby to a doctor's office. Upon arriving home, he found the mob awaiting him. As he fled, he was shot in the hand. Shortly thereafter, the sheriff took Jones into custody and the mother verified Jones' story of what had actually happened.

* * * * *

On September 2, at Colonial Beach, Virginia, a town policeman, Charles White and a special officer were saved by other officers of the law from a mob approximating 500 persons who became incensed over the alleged mistreatment of a prisoner. The officer had been called to quell a disturbance at a restaurant.

* * * * *

On November 22, near Washington, North Carolina, Lafayette Miller, 21-year-old Negro on parole, was removed from the jail at Greenville to an eastern North Carolina prison because "he probably would have been lynched." He was charged with killing a young white farmer and abducting the victim's wife in the trunk of the stolen automobile.

* * * * *

Significant Legislation Proposed. Two states in 1951 proposed anti-lynching bills of significance. In South Carolina, a House of Representatives majority passed an anti-lynching bill, after a decisive second reading, on a 51-34 vote. The bill would give punishment of death for "first degree" lynching; that is, where mob action resulted in the victim's death. Recommendation of mercy by a jury would mean 5 to 40 years imprisonment. The bill also takes cognizance of non-fatal mob action or "second degree lynching. Punishment under this charge would result in imprisonment from 3 to 20 years. Thus intention to lynch would be penalized.

* * * * *

The Florida Legislature also proposed an anti-lynching bill somewhat similar to the South Carolina proposal, also giving death as the maximum punishment for "first degree lynching," each participant in the lynching being equally guilty. Minimum penalty for the crime would be 5 years imprisonment. "Second degree lynching" could be punished by a maximum of 10 years imprisonment.

NO LYNCHINGS IN 1951

While the National Association for the Advancement of Colored People continues to raise all kinds of hell for enactment of a Federal anti-lynching law a report comes from Tuskegee Institute, self-appointed keeper of the record on this subject, that only one lynching occurred during the year 1951.

News
P. 6

The 1951 victim was Melvin Womack, 26-year-old Negro of Winter Garden, Orange County, Florida. He died on March 31 in an Orlando hospital of wounds received after allegedly being forced by masked men from his home. The day following his seizure, he was found in an orange grove by an officer of the law. Taken to the hospital, he died two days later. Reports state he did not know his assailants or why he had been kidnapped.

Jackson Miss.

And that, technically speaking, was not a lynching but a killing by parties unknown.

1-1-52

In other words, there was not a lynching anywhere in the United States during the last year, and only two alleged lynchings during the previous year, yet Negro radicals continue to clamor for a Federal anti-lynching law.

8193

RALPH McGILL

Lynchings, 1950, Notes Thereon

27i

Tuskegee Institute has released its annual information concerning lynching for 1950, and the information sustains the hope and belief that, slowly but surely, law enforcement in this field of violence is becoming healthier because of the growing pressure of public opinion.

Constitution

Governments and people, under a system whereby the citizens make decisions, move no faster than the people are willing. That's a weakness, but also a greater strength.

1-9-51

There were two lynchings in 1950, one victim being white, the other colored.

Seven lynchings were prevented in 1950. Of those rescued from mobs three were white and four were Negro.

Atlanta

In the two lynchings of 1950 the suspects were arrested, tried and found guilty.

Ga

The courts of 1950 also produced decisions involving crimes of previous years. South Carolina paid to the estate of Willie Erle, lynched in Greenville, S. C., in 1947, the minimum sum of $2,000 as compensation under a South Carolina law providing for such payments. The trial of the defendants in this case was one which shocked public opinion and the nation's sense of justice. It also produced, incidentally, some of the finest writing of that year. The British novelist Rebecca West covered the trial, which freed the defendants, and her reports remain perhaps the best writing ever done from a courtroom.

In Mississippi, Calhoun County, James Moore, white, was found not guilty in the slaying of Malcolm Wright, a well-respected Negro tenant farmer, whom Moore killed in 1949. The claim of self-defense was sustained by the jury.

John Wallace, white, was electrocuted in Georgia for the slaying of William Turner, white tenant farmer, in 1948. For this particularly ghastly slaying three other men are serving life sentences.

No Paralysis

Nowhere was there, in 1949 or 1950, the complete, cynical paralysis of law, such as the South has produced so often in the past and which has done the South the most damage in the eyes of the nation. The Walton County (Georgia) lynchings of some years ago, in which two men and two women were brutally murdered by a mob, is used in Communist Russia and her satellites as examples of American "justice." The law, save for the federal arm of it, was never believed to be greatly interested and to this day no suspect has been brought to trial.

If the shock of that ugly crime has produced the results of 1950, then the bullet-riddled dead have been of assistance, though at a great and cruel price.

The first 1950 lynching victim, according to the Tuskegee statistics, was Charlie Hurst, 39-year-old white store operator of Pell City, Ala. He was mortally wounded in his front yard by a group of unmasked men. The mob apparently was after another man, but following their error, did not go after the intended victim.

In a later trial, one defendant was sentenced to five years, but later released on an appeal bond. Three others under indictment were free on bonds of $5,000. One was tried and cleared.

The second victim of mob violence was Jack Walker, 40-year-old Negro of Meriwether County. Fishermen found his bullet-pierced body in a creek. He was said to have been mixed up in an illegal whiskey row. For that murder three white men all entered pleas of guilty. Two drew life, one five years.

In no instance was the law paralyzed or entirely impotent in these cases of mob violence. The law was able to function.

Pattern

The reports of these violences, and of others in the racial field but unconnected with lynchings, reveal a pattern familiar to students of the Southern scene, and sustain a thesis.

Violence is so confined to the old plantation area of the South that the exception merely proves the rule. It has come to be a truism that racial tensions, and the expectation of violence, are greatest in those regions where the pattern of old plantation economy yet remains.

Tensions and violence are least along the Piedmont plateau, curving through the South. In the Piedmont are more jobs, better wages; and, in general, a more informed population, with somewhat-to-be-expected superior race relations.

The Tuskegee report is not pleasant, but in comparison it is excellent and testifies to an improving social climate.

Lynching Record

Tuskegee Institute in Alabama, which keeps records on such things, says there were only two lynchings in 1950. One was a white man, slain in Pell City, Ala., by a group believed to be Ku Kluxers. The second was a Negro, shot to death in Georgia by three men for whom he worked, apparently because he knew too much about their illegal whisky traffic. Comments the Washintgon Post: "The South has come a long way in recent years in the fight to wipe out this especially despicable crime."

27i

This is a sort of left-handed compliment to the South. It implies (1) that lynching is limited to the South and (2) that the South had a long way to go in the matter.

Truth is, more lynching goes on in northern, eastern and midwestern industial cities in three months than goes on in the thirteen Southern States in a whole year. "Lynch" means punishment, usually mob punishment, outside the law. What on earth is it when labor goons on strike knock a nonstriker in the head when he crosses the picket line?

30-51

In short, Tuskegee's records do not amount to a tinker's malediction. They don't include, for instance, the mob of Harlem thugs last week who waylaid a white man and stabbed him thirteen times. We hope the Post editor is able to compliment the North next year on wiping out "despicable crime."

8195

One Lynching Fails To Tell Story Of Violence In '51

Moved P. 2 Sun. 1-13-52

TUSKEGEE INSITUTE, Ala. — (ANP) — Although there was only one lynching recorded by the Department of Records and Research at Tuskegee Institute, during 1951 there was no indication that there was a lessening of violence among Negroes. The single lynching merely means that there has been a change in the type of violence directed at colored persons.

The lone victim was Melvin Womack, 26, Winter Garden, Florida who died March 31, in a hospital of wounds received after being forced by masked men from his home.

Arkansas

The day after his seizure, he was found in an orange grove by an officer of the law. Taken to the hospital, he died two days later. Reports state he did not know his assailants or why he had been kidnapped. It is thought the night riders lynched the wrong man.

But the one lynching and the three attempts at lynching do not tell the whole stroy. It seems that lynching, as a means of keeping Negroes in their place, has gone out of style. In its place has been substituted other forms of intimidation—all motivated by the same drives which produced bumper crops of lynching in former years.

Among them were the "Look Rape" case in North Carolina; the bombings in Dallas, Texas; the shooting and killing of a Negro who was among eight others who attempted to vote in Louisiana, and the more recent bombings in Florida which resulted in the death of an executive secretary of the state NAACP.

In the "Look Rape'" case, Max Ingram, a tenant farmer, was arrested and convicted for attacking a young white girl although he never came within 70 feet of her. At a later trial, a hung jury resulted and a mistrial was called.

In North Dallas, Texas, Negro homes were bombed because white people did not want them to move there.

In Louisiana, eight Negro men attempted to register to vote. One of them later was shot in a Negro tavern by a white special policeman. There apparently was a definite relationship between the attempt to register and the shooting.

More recently, Negroes in Miami, Fla., have been the victims of bombings and other forms of intimidations. Carver Village, a colored housing project, was the object of three different bombings because whites resented their living there.

The latest and perhaps the most galling-bombing was the one which killed Harry Moore, executive secretary of the state NAACP, and injured his wife, who later died from wounds received at that time.

In another case in Florida, one of the two original "Groveland Four" youth was shot and killed by a sheriff. The two were handcuffed together and were being transferred to another prison for a new trial granted them by the United States Supreme court. The sheriff was absolved of all blame.

TUSKEGEE INSTITUTE ALABAMA

Recorder

Dear Sir:

I send you the following information on lynching for the year 1951.

Times 1-3-52

NUMBER OF LYNCHINGS

According to records compiled in the Department of Records and Research, Tuskegee Institute, I find that ONE lynching was recorded for the year. Lynchings for the past five years follow:

1951	1
1950	2
1949	3
1948	2
1947	1
Total	9

P. 6

The 1951 victim was Melvin Womack, 26-year-old Negro of Winter Garden, Orange County, Florida. He died on March 31 in an Orlando hospital of wounds received after being forced by masked men from his home. The day following his seizure, he was found in an orange grove by an officer of the law. Taken to the hospital, he died two days later. Reports state he did not know his assailants or why he had been kidnapped. It is thought the night riders lynched the wrong man.

Philadelphia, Pa

THE GROVELAND, FLORIDA CASE

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The 2 victims, accused with two others in July, 1949 of raping a 17-year-old white girl, had been sentenced to death. The third, a 16-year-old boy, was given life imprisonment. The fourth youth was shot to death shortly after the alleged crime by a posse.

Reversing the decision of the State court, the United States Supreme Court ordered a new trial on the basis that "this trial took place under conditions and was accompanied by events which would deny defendants a fair trial before any kind of jury."

The officer of the law is reported to have said the "prisoners 'jumped' him" when he stopped to repair a flat tire" on a lonely road. The surviving victim reported that both he and the dead prisoner were shot without provocation. The sheriff concerned was absolved from all blame by a Coroner's jury. This is a glaring instance where an officer of the law seems unnecessarily to have killed a prisoner and wounded another with whose care he was entrusted.

LYNCHINGS PREVENTED

Lynchings were prevented in at least three instances: On June 21, near Brundidge, Alabama, Forrest Jones, 35-year-old Negro farmer, saved himself from a mob by fleeing. A rumor had been spread that he had "kidnapped a white woman." The truth of the matter was he had been given a ride to town by the young farm mother, who, on the way, had an automobile accident in which her baby was injured. Out of gratitude for the ride, Jones had carried the bleeding baby to a doctor's office. Upon arrival home, he found the mob awaiting him. As he fled, he was shot in the hand. Shortly, thereafter, the sheriff took Jones into custody and the mother verified Jones' story of what had actually happened.

P. 3

On September 2, at Colonial Beach, Virginia, a town policeman, Charles White and a special officer were saved by other officers of the law from a mob approximating 500 persons who became incensed over the alleged mistreatment of a prisoner. The officer had been called to quell a disturbance at a restaurant.

On November 22, near Washington, North Carolina, Lafayette Miller, 21-year-old Negro on parole, was removed from the jail at Greenville to an eastern North Carolina prison

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TUSKEGEE INST. REPORTS ONLY ONE LYNCHING DURING 1951

Butler County

South Carolina House Passed Anti-Lynch Bill, Florida Proposed

American Sat. 1-5-52

Hamilton, Ohio

TUSKEGEE INST., ALA.—Dr. F. D. Patterson, President of Tuskegee Institute, released this week, his annual report of recorded lynchings.

P. 1 27

He said according to the records compiled in the school's Record and Research Department, only one lynching was recorded for 1951.

The victim was Melvin Womack, 26-year-old Negro of Orange County, Florida. He died March 31 in an Orlando hospital of wounds received after being forced by masked men from his home.

Fla. P.

Kinston N.C.

2-1-52

P. 4

Tuskegee Institute, famous Negro school in Alabama, founded by the late Booker T. Washington, which keeps an official record of mob violence in this country, reports only one lynching in 1951. The victim was Melvin Womack, 26, who died March 31st in an Orlando, Florida hospital of injuries inflicted by unknown masked assailants who 'forced him from his home.' Several attempts at mob violence were prevented by quick witted and courageous officers, including a recent experience at Washington, N. C., where indignation ran high when a Negro parolee shot a young husband and kidnapped his wife, the latter being uninjured except from shock and fright when rescued a few hours later by highway patrolmen. Lynch law is not in good standing anywhere in the United States and those who take the law into their own hands are criminals at heart and in deed.

Another Drop in the Lynching Record

San Antonio Tex

Wed. 1-2-52

Tuskegee Institute in Alabama, that has kept and published an authentic record of lynch-murders since 1885, happily can report the mob spirit at its lowest ebb in 66 years:

During 1951 the Tuskegee research staff recorded but one such mob crime. The victim, Melvin Womack, 26-year-old Negro, had been seized by night raiders in his Winter Garden (Florida) home, shot and tossed into an orange grove. He died the next day. From all accounts, the young Negro was a victim of mistaken identity.

Through five successive years, the Institute count shows, the lynching-toll has been relatively light. There have been nine such crimes of record. However, Dr. F. D. Patterson, the Institute's president, feels morally bound to protest, before the court of public opinion, against the Groveland (Florida) case:

On November 6, last, a sheriff was transporting two Negroes charged with rape from State prison to the court house for a retrial which the United States Supreme Court had ordered. The officer killed one prisoner and wounded the other. The sheriff said that the men, handcuffed together, had tried to get away. But the surviving prisoner testified that the shooting was unprovoked. A coroner's jury exonerated the officer—and that was that.

In Alabama, last June, a mob tried to lynch a Negro who, according to an unfounded rumor, had "kidnaped" a white woman. The sheriff intervened and saved the intended victim. Last November 22, a North Carolina sheriff spirited a prisoner away as a mob was about to storm his jail.

Such incidents are frequent enough to indicate that the mob spirit is still abroad. Stern measures are needed to suppress it. To that end, South Carolina and Florida legislatures during 1951 considered, but did not enact anti-lynching bills. Doubtless both will try again. The effect would be salutary.

San Antonio Tex

One Lynching – Much Violence

World Fri 1-4-52

The Tuskegee Department of Records and Research has released its annual report of lynchings for 1951. Only one lynching, the unsolved killing of a Florida Negro by four masked white men, is recorded by the Institute.

P. 8 Birmingham, Ala.

If it were not for so many other incidents of violence and death, not attributable to the mob in the strictest sense but mob action just the same, we would be inclined to rejoice over that achievement. But who among us is willing to think of the slaying by the Sheriff in the Groveland case as the act of only one person. To be sure, there may not have been only the Sheriff in the act itself. But circumstances surrounding the case, including subsequent developments, force us to believe that the slaying had its ramifications in the minds of other persons than that of the Sheriff's. Hence, to all intents and purposes, that slaying, no less than the death of Harry T. Moore at Mims, Florida is the result of a planned campaign just as surely as if they had died at the hands of a mob. The end results are quite the same.

But be that as it may, we can have no special reason for rejoicing as long as there remains one lynching to shame America in other lands. America is condemned as long as there is a lynching to blot its good name in other lands. But we are making progress, even if lynching has gone underground in the form of police slayings and killings by sheriffs and their deputies. We cannot read out this form of violence and feel satisfied that our record is clear.

One Lynching – Much Violence

World P-2

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Sat. 1-5-52

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Atlanta Ga.

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Tuskegee Lynch Report Challenged By The Civil Rights Congress

The annual Tuskegee institute report which asserted that "only one lynching" took place in the United States during 1951 was challenged this week by the national headquarters of Civil Rights Congress as "totally mis-representing because police killings and court-room legal lynchings of Negroes are now the rule in many cases where racist mob violence is made impossible by Negro militancy, Negro-white unity or world opinion."

State Press Fri, 1-18-52

The CRC charged that "Northern and Southern millionaire white men—among them Winthrop W. Aldrich, president of the Chase National Bank, and Jesse Jones, Texas millionaire who introduced the bill legalizing Jim Crow in Texas in 1903 were trustees of Tuskegee" and that "the lynching report, which must please these trustees, can never be a true picture of the killings of Negroes which take place in the United States every year."

p. 4 Little Rock Ark.

"In Birmingham, Alabama alone," the CRC said, "26 Negroes were victims of police killings or shootings in 1951 by Dixiecrat Police Commissioner "Bull". Connor's Klan-infested police force."

27

The CRC said that "the very fact that the recent Florida killings of Samuel Shepherd, one of the innocent Groveland frame-up victims, and Harry T. Moore, Florida NAACP leader were excluded proves better than anything else the ridiculous nature of the Tuskegee report."

Disagreeing with Tuskegee's definition of a lynching only as death suffered at the hands of a mob, the Civil Rights Congress listed four "major methods of lynching" of Negroes in 1951 and asserted that hundreds of Negroes—"the exact number is almost impossible to determine"—were lynched in 1951.

The four groupings were:

1. Legal Lynchings—Committed through a joint conspiracy of all branches of the federal government, state governments and the lower courts.

Under this category, the CRC listed the execution of Willie McGee, the Martinsville Seven, Edward Honeycutt "and many other unknown cases of innocent Negroes who were framed-up and electrocuted by government authority on 'rape' or other charges for which no white man ever gets the death penalty." These lynchings, the CRC commented, differed from mob lynchings only in that they were given a veneer of "legality'."

2. Police Lynchings—Committed by officers of government in every section of the country with exoneration by their higher local, state and federal officials always assured.

The CRC listed the police and sheriff killings of John Derrick and Henry Fields in New York; John Lester Mitchell in Louisiana; Samuel Shepherd, one of the Groveland frame-up victims in Florida; Joseph Austin Conway in Philadelphia; William Washam in Michigan; Andrew Johnson in Chicago; Bobby Lee Joyner in Greensboro, North Carolina; two Negro soldiers in Hawkinsville, Georgia; Cartha Johnson in Cheraw, South Carolina, among many others.

3. Quiet Lynchings—Committed by small terrorist mobs and police officers, especially in the south, in which Negro victims are found dead or "disappear".

As one example, the Civil Rights Congress related how the bodies of four Negroes slain under unknown circumstances were found in Edgecomb and Nash counties of North Carolina early in the year.

The body of John Melvin, 50, was found on a farm in Edgecomb county.

William Battle, 29, was found on his door steps. Both nude and partially burned. the body of G. W. Batcheler, 80, was found in a corn crib. The body of the one-year old son of Tom George Battle was found dead in bed and Battle himself was shot in the arm.

Another example, the CRC said, was the burning to death of Rev. Joseph Mann, Negro minister, in Norfolk, Virginia on May 26th. Rev. Mann had delivered a sermon against segregation of Negroes. His assassin drenched his clothes in gasoline before igniting them.

4. Mass Lynch Attacks—Committed against Negro communities or against Negroes seeking to move out of Negro ghettoes by racist mobs and police officials.

Under this grouping, the CRC listed the "four-day program in Cicero, Ill. against Mr. and Mrs. Harvey Clark" and the midnight orgy of violence by the Columbus, Georgia, Police Department against the Negro community there as examples. .One hundred Negroes were injured in Columbus after being pistol-whipped and clubbed to unconsciousness. Hundreds of other Negroes were beaten mercilessly that night.

"Even a conservative Southern white organization, the Southern Regional Council, has opposed the Tuskegee approach to lynching," CRC continued.

"What is happening to Negroes in the United States," CRC said, "is nothink more or less than genocide ,as defined by the United Nations. Only the United Nations concept of genocide (covering the killing of members of a group, causing them serious bodily or mental harm, inflicting conditions of life calculated to bring about the group's destruction in whole or in part) explains the reality of the lives of Negroes in the U. S. in 1951."

"By blinding its eyes to all but one killing of a Negro in 1951, Tuskegee is injuring the cause of the Negro people who are demanding an end to all forms of murder, insult and degradation.

"Once and for all, Tuskegee's annual statement should be thrown into the wastebasket as aid and comfort only to the white supremacists inside and outside the U. S. Government.

8360

Tuskegee Institute Annual Report Raps Fla. Sheriff In Groveland Case Slaying

[illegible]

Only One Lynching Recorded For 1951

P. 1

TUSKEGEE, Ala., Dec. 31.—(DSN)—The famous annual report of Tuskegee Institute on the subject, issued this week gives only one lynching during the year 1951 in the United States.

Dat 1-5-52

The unsolved killing of a Florida Negro by four masked white men was the only incident recorded as a lynching in the report.

One other incident, in which a Negro prisoner was slain by a Florida sheriff, brought severe criticism in the annual lynching report even ~~though it~~ was not listed as a death from mob action.

On the credit side, three lynchings were prevented this year, said Tuskegee President F. D. Pattersone—one each in Alabama, Virginia and North Carolina.

The report reflected a decline in mob action in the United States since 1950, when two persons, a Negro and white man, died from massed violence and seven attempted lynchings were averted.

Listed as the lone victim of mob in 1951 was Melvin Womack, 27-year-old migrant worker who was dragged from his rooming house, beaten and shot on the night of March 28 near Winter Garden, Fla., a suburb of Orlando. He died three days later in an Orlando hospital.

On April 2 an anonymous note to the Orlando Morning Sentinel said the Negro was beaten by four white men (Tuskegee said they were masked).

An inquest and a subsequent grand jury investigation failed to develop any leads, but brought reports that at least one other Negro had been beaten.

Tuskegee's report said Womack was unable to identify his attackers or tell why he was kidnapped.

"It is thought the night riders lynched the wrong man," Dr. Patterson added.

Sheriff Willis V. McCall was sharply criticized for killing Samuel Shepherd and wounding Walter Lee Irvin on Nov. 6 while taking the Negroes from Raiford prison to Tavares, Fla., for new trial motions in a rape case.

McCall said he shot them because they attacked him when he stopped to fix a flat tire. A coroner's jury exonerated him.

Nevertheless, Tuskegee said "this is a glaring instance where an officer of the law seems unnecessarily to have killed a prisoner and wounded another with whose care he was entrusted." The report quoted Irvin as saying he and Shepherd were shot "without provacation."

It was the same sheriff who had hid the Negroes in his home to keep them away from a mob after they and two others were accused of raping a young white girl at Groveland, Fla., in 1949. In the upsurge of violence, several Negro homes were burned and the National Guard was called out to keep order.

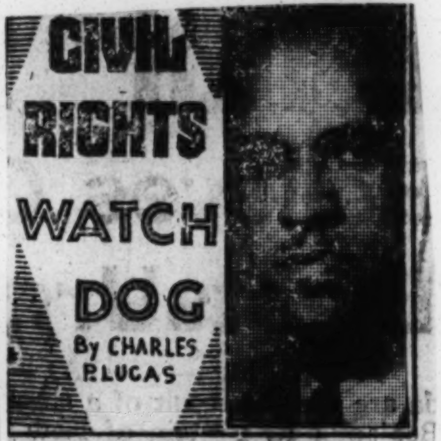
One of the other Negroes was killed by a posse, the second given life for rape. Shepherd and Irwin were sentenced to death but the U. S. Supreme Court reversed the conviction because no negroes were on the jury.

A policeman and a special officer at Colonial Beach, Va., were saved from violence by other officers in one of the three incidents in which Tuskegee said lynchings were prevented in 1951. Negroes were involved in both.

A mob of 500 persons at Colonial Beach "became incensed" at policeman Charles White and tht special officer, the Tuskegee report said, because of alleged mistreatment of a prisoner.

Forrest Jones, 35-year-old Negro farmer, fled from a crowd of white townspeople near Brundidge Ala., ~~on~~ June 21 with a gunshot wound in his hand. A rumor had spread that the Negro kidnapped a white woman, but was later proved unfounded, officers said.

Then on Nov. 22, Lafayette Miller, 21-year-old Negro parolee, was moved from jail at Greenville, N. C., to prison because, the Tuskegee report related, he "probably would have been lynched." The Negro was charged with killing a white man and kidnapping his wife.



"JUST AS EXPECTED'

VERY CONVENIENTLY the white apologists and "safe" Negroes leaped on the annual Tuskegee Institute's Lynching report.

This had become a favorite stick to lean on to avoid facing a damnable condition of mob violence and savage murder. Raymond Moley wrote in the Cleveland Plain Dealer Jan. 4, 1952, "Anti-lynching legislation in the light of the facts is not only unnecessary but an affront to states that have made impressive progress in the development of law enforcement." "It is, of course, a purely political maneuver," he said.

Call and Post

NOW ANYONE WHO BELIEVES that the Tuskegee Institute would have the guts to report ALL the lynchings in any single year, should have his or her head examined at once! Imagine an institution in the heart of no-black-man's land daring to print actually what happe..s in that terror infested swamp. Who could expect F. D. Patterson to issue an unfavorable account of a Ku Kluxers barbaric behavior? Isn't he the same F. D. Patterson who tolerated the segregated Blood Bank while a high official of the Red Cross? The WATCHDOG had the opportunity to clash with him several years ago when the Red Cross had its national meeting in Cleveland.

Dat. 1-12-52

FOR THE TUSKEGEE REPORT, a lynching has to be in the form used by the mobsters fifty or sixty years ago. This old technique of large bands of people flagrantly joining together in the night season to march on some poor innocent Negro's home, pulling him out of bed, taking him to the tallest tree, hanging him by the neck with the familiar rope, then tar and feathers and, the dragging him through the streets, is definitely a thing of the past. They do it differently today! Why should the Ku Klux Klan expose itself unduly? They can get the same results in a cleaner less arduous fashion.

P. 2 B

POLICE OFFICERS are replacing the old mob. They can arrest a Negro on a flimsy charge, contend that he deliberately resisted arrest or threatened them with violence, then quietly shoot them. Or, one or two vicious individuals can be hired to do the job in a quick efficient manner. Then, as preposterous as it sounds, the law enforcing agents, including the vaunted FBI, cannot find any trace of the killers. No, the yardsticks employed by the captive Tuskegee Institute are definitely out of date.

THE SO-CALLED OFFICIAL lynchings recorded by this agency for the U. S. southland and some elements of the northland just will not sell abroad or with understanding citizens of this country. The WATCHDOG dares the Federal Government to use one of its 93 special grand juries to investigate the large number of real lynchings for 1951. No, they will be intent on running down small time gamblers and little racket people. The big boys will escape as usual. Local investigating bodies in the south and some places in the north always find "no-cause-for-action" in their meager explorations.

DON'T FALL FOR THE easy comfort extended by the Tuskegee report! Think of the Harry T. Moores mysterious lynching by bombs. Think of the Monroe Georgia, four, two veterans and their wives. Think of New Jersey's police killing of Robert Kelly. Think of Alabama's Thomas Patterson, Jr. Think of Brooklyn's Henry Fields. Think of the Trenton Two, The Marinsvill seven, Slaying of two servicemen paratroopers Pasmore and Asman for Police Chief Bragg while they were handcuffed and in his custody, the same fate for Samuel Shepherd and Walter Irvin in Florida. Remember Willie McGee, Robert Mallard and a host of others.

Lynching Records

A long time ago in Virginia, before society organized its peace agencies as they are now formed, and when in many instances sanction was given in most communities to what was known at that time as vigilantes, a man named Lynch took the law in his own hands and as rapidly as he came upon those whom he considered disobeying the law, he shot them down.

Black Dispatch

The term "lynching" in this country therefore derives its name from the unlawful action of one man, who inflicted punishment and death upon any person who ran counter to his notion of right and wrong. In recent years those who manufacture statistics regarding lynchings prefer to view lynchings as the murderous action of a group of people, disapproving entirely the original connotation attached to the term.

Sat. 1-12-52

It appears those who compiled lynching statistics at Tuskegee Institute have been guilty this year of such inexcusable action. The report that lies before us says there was only one lynching in this country during 1951, while in our record book there were nearer twenty savage and indefensible blotting out of black men's lives, both legal and illegal in their nature, which should be labeled as lynchings.

When we think in terms of lynchings in 1951 we think of Harry T. Moore and his wife down at Mims, Florida. We know at least one man perpetrated this heinous crime, so that in our books a lynching was committed. But who is there on the outside of an insane asylum who believes this dastardly crime was committed by one man. Slight discourse to established facts will disclose that this man received several threats from reactionary citizens in his section before he died, so that it is generally understood a conspiracy existed in the community to get rid of Moore and his entire family.- Under conspiracy laws all persons having knowledge of intention to vioate law, and who in any way cooperated in the plan, are held liable under the statutes for the crime committed. It seems to this writer that this sort of approach should be made to the crime of lynching. In fact this publication takes the position that there could be no lynching anywhere except for the total guilt of those who constitute the law enforcing agencies of the section.

And then again there was the lynching of Samuel Shepard, one of the Groveland victims, by a Florida sheriff. In this instance we believe the conspiracy theory would apply. Who is it dumb enough to assume that Sheriff Willis McCall would have embarked upon this lawless program to snuff out the lives of two black men, under orders of the United States Supreme Court, unless he had a perfect and complete understanding with the official life of his community that he would be protected in the commission of this crime? We prefer to refer to the death of Samuel Shepard as a lynching; nothing more, nothing less. What does it matter if no one was on the highway in a lonely side road when the sheriff shot his two manacled black prisoners? The rest of the community knew what he had planned and was going to do. The Florida community, from the governor's office on down, has persisted in protecting Sheriff McCall although every white citizen in Florida knows his hands are as guilty of this horrible crime as were the hands of Pontias Pilate with the blood of the Christ.

P. 4

Then let us turn to some legal lynchings during 1951. This was the year when Willie McGee's life was snuffed out down in Mississippi, and in this same twelve months the Martinsville Seven in iVrginia were led to the electric chair. There are many who fight for civil rights in this country who feel that lynching has in a certain sense gone underground. There may today be fewer murderous disorders such as is Tuskegee's contracted idea of a lynching, but there are currently more marble-hearted convictions and capital sentences visited upon black men and women than ever before. Mrs. Rose Ingram would not be in prison today except for the unrelenting, inexorable and savage delight on the part of southern courts to convict innocent blacks on inexcusable charges having no integrity, and inflicting sentences that would be visited upon no white person for this same offense. This is what we term a legal lynching.

The facts, as presented in the Ingram case, show that this lone farm woman, when she killed a white sharecropper, was attempting to protect her virtue, but there is conspiracy in this country not to condone any form of blood-letting from a white man by a Negro. Rose Ingram has been lynched of her freedom because she sought to protect her virtue. While the Ingram case is not one to be cited for 1951, it does present clearly the issues jutting up out of what we term legal lynchings.

Oklahoma City, Okla.

The Willie McGee case is, however, one that should be discussed. Here was a black man who fell into the sensual clutches of a white woman, and when he tried to quit and leave the state, became the victim of the most fantastic tale that ever reached a Dixie court room. In this instance we have judge and jury, and in fact all of the citizenry conspiring in the murder of a simple-minded man, when every white citizen in Mississippi knew there was no integrity in the indictment preferred against him. If the authorities at Tuskegee do not have the moral courage to tally such lynchings as the execution of Willie McGee, they should turn the compilation of such statistics over to the custody of braver souls.

What could there be other than studied under-cover conspiracy to unconstitutionally blot out the life of black people when citizens of a state wilfully plot to assess the death penalty upon black people for rape when no white person is required to face the same penalty? Measured by this yardstick of reason, the electrocution of the seven Martinsville men in 1951 could be considered as nothing more than a lynching. The governor's attention, prior to this legal lynching, was called to the fact that no white person had ever been required to die for this crime in Virginia, but despite this fact, and because of the under-cover conspiracy to differentiate between white crime and black crime, seven black Virginians were sent in 1951 to face their maker. The Black Dispatch has always taken the position that there can never be a fair trial unless same has been preceded by honest indictment.

The NAACP and other liberal agencies fighting for anti-lynching legislation will be immediately handicapped by this spurious and questionable survey made by Tuskegee respecting lynching. The argumetn will be made that we do not need legislation to halt something now extinct, when to our judgment lynching is very, very much alive in the United States.

We are fully of the opinion a positive disservice is done to the cause of freedom and justice through the issuance of reports regarding lynchings and race relations in this country that do not tell the whole truth. It was Jesus who said ,"Ye shall know the truth and the truth shall make you free." Those who today tone down the truth about lynching to such an extent that it is unrecognizable should realize they are in no wise contributing to the freedom of black people. There is nothing more precious than life, and when discussion is held regarding the abridgement of constitutional guarantees to life, the truth should be stripped naked and bare in all of its ugliness. Tuskegee's records lynch the truth. That is to say, their figures blot out and kill the view that every American who has a conscience should survey and contemplate upon.

One Lynching Reported In '51

Advertiser

TUSKEGEE, ALA., Dec. 30—(AP)—The unsolved killing of a Florida Negro, reportedly by four masked white men, was recorded by Tuskegee Institute Sunday as the nation's only lynching in 1951.

One other incident, in which a Negro prisoner was slain by a Florida sheriff, brought severe criticism in the annual lynching report even though it was not listed as a death from mob action.

On the credit side, three lynchings were prevented this year, said Tuskegee President F. D. Patterson—one each in Alabama, Virginia and North Carolina.

The report reflected a decline in mob action in the United States since 1950, when two persons, a Negro and a white man, died from massed violence and seven attempted lynchings were averted.

Listed as the lone victim of mob death this year was Melvin Womack, 27-year-old migrant worker who was dragged from his rooming house, beaten and shot on the night of March 28 near Winter Garden, Fla., a suburb of Orlando. He died three days later in an Orlando hospital.

Mon. 12-31-51

No Leads Developed

On April 2, an anonymous note to The Orlando Morning Sentinel said the Negro was beaten by four white men (Tuskegee said they were masked). An inquest and a subsequent grand jury investigation failed to develop any leads, but brought reports that at least one other Negro had been beaten.

Montgomery

Tuskegee's report said Womack was unable to identify his attackers or tell why he was kidnaped.

Ala

"It is thought the night riders lynched the wrong man," Dr. Patterson added.

P. 1

Sheriff Willis V. McCall was sharply criticized for killing Samuel Shepherd and wounding Walter Lee Irvin on Nov. 6 while taking the Negroes from Raiford Prison to Tavares, Fla., for new trial motions in a rape case.

McCall said he shot them because they attacked him when he stopped to fix a flat tire. A coroner's jury exonerated him.

Nevertheless, Tuskegee said "this is a glaring instance where an officer of the law seems unnecessarily to have killed a prisoner and wounded another with whose care he was entrusted." The report quoted Irvin as saying he and Shepherd were shot "without provocation."

It was the same sheriff who had hid the Negroes in his home to keep them away from a mob after they and two others were accused of raping a young white girl at Groveland, Fla., in 1949. In the upsurge of violence, several Negro homes were burned and the National Guard was called out to keep order.

Possee Killed One

One of the other Negroes was killed by a possee, the second given life for rape. Shepherd and Irvin were sentenced to death but the U. S. Supreme Court reversed the convictions because no Negroes were on the jury.

A policeman and a special officer at Colonial Beach, Va., were saved from violence by other officers in one of the three incidents in which Tuskegee said lynchings were prevented in 1951. Negroes were involved in both others.

Advertiser

A mob of some 500 persons at Colonial Beach "became incensed" at Policeman Charles White and the special officer, the Tuskegee report said, because of alleged mistreatment of a prisoner.

12-31-51

Forrest Jones, 35-year-old Negro farmer, fled from a crowd of white townspeople near Brundidge, Ala., on June 21 with a gunshot wound in his hand. A rumor had spread that the Negro kidnaped a white woman, but was later proved unfounded, officers said.

Then on Nov. 22. Lafayette Miller, 21-year-old Negro parolee, was moved from jail at Greenville, N. C., to prison because, the Tuskegee report related, he "probably would have been lynched." The Negro was charged with killing a white man and kidnaping his wife.

Dr. Patterson also mentioned as "significant" the fact that tough anti-lynching measures were introduced during the year in the South Carolina and Florida legislatures. Both provided a possible death penalty.

Lone Lynch Case Listed By Tuskegee

Constitution

Mon 12-31-51

Atlanta, Ga.

Florida Incident Severely Scored

P. 2

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TUSKEGEE REPORTS ONE LYNCHING IN '51

Times

Technicality Eliminates Second Death, Institute Says — Narrowly Escape Mobs

Mon. 12-31-51

MONTGOMERY, Ala., Dec. 30 (UP)—One person was lynched in the United States during 1951, Tuskegee Institute reported today.

The Negro institution, in the annual report on mob violence compiled by its records and research department, said the lynching occurred in Orange County, Fla., where Melvin Womack, 26 years old, of Winter Garden, was fatally beaten by a band of masked men March 31. However, it listed three other cases in which death at the hands of a mob was prevented and a fourth in which a man was killed but which "technically" was not a lynching.

New York

Mr. Womack, the report said, died in an Orlando, Fla., hospital two days after being "forced by masked men from his home."

"However, it is thought that the night riders lynched the wrong man," the institution concluded.

Three near-lynchings were listed as:

P. 24 C.

Mrs. J. T. Guzman, director of the Department of Records and Research at Tuskegee, could not explain why the report said Mr. Womack was thought to be the wrong party. Mr. Womack was living at the home of Dora Mosby, sister-in-law of Luther Coleman, a school janitor, who was beaten by four white men on the streets of Winter Garden two months before the Womack attack.

Tuskegee researchers noted the death of Samuel Shepherd and the wounding of Walter Lee Irvin at the hands of a Florida sheriff Nov. 6. They were shot while being transferred from Raiford State Prison to Tavares, Fla., for a new trial ordered by the United States Supreme Court in the alleged raping of a 17-year-old white girl.

The sheriff said the two sought to escape and he was exonerated by a coroner's jury. "This technically is not considered a lynching," the report concluded.

Near Brundige, Ala., June 21 when a mob moved in on the home of Forrest Jones, 35-year-old Negro farmer accused of "kidnapping a white woman." The county police verified his claim that he merely had given the missing woman a ride.

At Colonial Beach, Va., Sept. 2 when Charles White, a town policeman and another officer were "saved by other police from a mob" of 500 persons incensed about "alleged mistreatment of a prisoner."

At Washington, N. C., on Nov. 22 when Lafeyette Miller, Negro parolee, was removed to an eastern state prison because "he probably would have been lynched." after being charged with slaying a young white farmer and abducting the victim's wife in the trunk of a stolen automobile.

ONE LYNCHING IN 1951 —WRONG MAN KILLED?

Commercial Appeal

Tuskegee Institute Reports On Year's Violence

Mon. 12-31-51

OTHER INCIDENTS LISTED

P. 9

By The United Press

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The Negro institution, in the annual report on mob violence compiled by its records and research department, said the Nation's lone lynching of the year occurred in Orange County, Fla., where Melvin Womack, 26, of Winter Garden was fatally beaten by a band of masked men March 31.

Three Other Cases

It listed three other cases in which death at the hands of a mob was prevented and a fourth in which a man was killed, but which "technically" was not a lynching.

Womack, the report said, died in an Orlando, Fla., hospital two days after being "forced by masked men from his home."

"However, it is thought that the night riders lynched the wrong man," the institution concluded.

Tuskegee researchers pointed out the death of Samuel Shepherd and the wounding of Walter Lee Irvin at the hands of a Florida sheriff Nov. 6. They were shot while being transferred from Raiford State Prison to Tavares, Fla., for a new trial ordered by the United States Supreme Court in the alleged raping of a 17-year-old white farm wife.

The sheriff claimed the two sought to escape, and he was exonerated by a coroner's jury.

"This technically is not considered a lynching," the report concluded.

Near-Lynchings Listed

The three near-lynchings were listed as:

1—Near Brundidge, Ala., June 21, when a mob moved in on the home of Forrest Jones, 35-year-old Negro farmer accused of "kidnaping a white woman." County police verified the Negro's claim that he merely had given the missing woman a ride.

2—At Colonial Beach, Va., Sept. 2, when town policeman Charles White and another officer were "saved by other police from a mob" of 500 persons incensed about "alleged mistreatment of a prisoner."

3—At Washington, N. C., on Nov. 22, when Lafayette Miller, Negro parolee, was removed to an eastern state prison because "he probably would have been lynched" after being charged with slaying a young white farmer and abducting the victim's wife in the trunk of a stolen automobile.

The National Association for the Advancement of Colored People has said the Florida deaths were part of a "reign of terror" aimed against Negroes. Others have said the violence stemmed from the assault on the young farm wife by three Negroes two years ago.

Lynchings Held to One During 1951

Richmond, Va

Two Were 'Saved' At Colonial Beach

Times Dispatch

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Mon. 12-31-51

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P. 9

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Only one lynching in U. S. listed in Tuskegee's report on 1951

1-1-52

TUSKEGEE, Ala., Jan. 1 — (AP) — Only one lynching was recorded in the U. S. this year by Tuskegee Institute in its annual report on mob violence.

P. 15

That proabbly was a case of mistaken identity, said Dr. F. D. Patterson, president of the institute.

Another incident, technically not a lynching, was singled out in the report for severe criticism. It was the slaying of a Negro prisoner by a Florida sheriff. To be classed as a lynching by Tuskegee, at least two persons must attack the slain man.

Birmingham

The lynching in the report was the case of Melvin Womack, 27, a migrant worker, who was dragged from his house, beaten and shot near Winter Garden, Fla., March 28. He died three days later.

* * *

THE OTHER INCIDENT criticized in the report was the slaying of Samuel Shepherd and the shooting of Walter Lee Irvin Nov. 6 by Sheriff Willis V. McCall.

McCall was taking the two from Raiford Prison to Tavares, Fla. For new trial motions after the U. S. Supreme Court had set aside their convictions in the rape of a white girl at Groveland, Fla., in 1949.

The sheriff said he shot the men because they attacked him when he stopped to fix a flat tire.

* * *

TUSKEGEE'S REPORT listed three attempted lynchings which were prevented during the year:

At Colonial Beach, Va., a mob of some 500 persons "became incensed" at Policeman Charles White and a special officer over alleged mistreatment of a prisoner.

At Brundidge, Ala., Forrest Jones, 35, Negro farmer, was shot in the hand as he fled from a crowd after a rumor spread that he kidnaped a white woman. The rumor later was proved unfounded.

Lafayette Miller, 21, Negro parolee, was moved from a jail at Greenville, N. C., to prison because he "probably would have been lynched." Miller was accused of killing a white man and kidnaping his wife.

8362

Brundidge Boob

Thursday there was mob action by a group of Brundidge residents. They had heard a false rumor that a Negro, Forrest Jones, 35, had kidnapped a white woman.

Actually he had been assisting the white woman's injured child. Nevertheless, a booted and spurred band of inflamed white farmers closed in upon the Negro's home.

Catholic Week

An A. P. dispatch reported: ". . . the Negro was shot when he attempted to flee the band gathered at his home, but who shot him still has not been determined."

The police chief was apologetic after it was learned the rumor was false. And, no doubt, the town's face was as red as a brickbat.

Sat. 6-30-51

THE INNOCENT NEGRO knew only that this mob of white supremacists had come to get him.

27j

The Negro was chased from his home by the pack. He was made to run, to scamper for his safety, for his life in a land where justice is the highest held of torches.

Ala

There was no doubt whatsoever that the mob of 30 or 40 white men had not come to his home to pay him a social call. They came to slake a thirst for blood.

Birmingham, Ala

They would not allow this black man a trial. They would not rely on the due process of law.

He was guilty. He had kidnapped a white woman. Evidence? Who the hell needs evidence? He must have done it. That was enough.

SO CAME the mob to Jones' shanty. It was not a riot. It was an organized mob, the mobsters knew what they were after. They calculated longer than they would have on a jury.

Only the mob knows who fired the shot at Jones. But the man who fired it knows.

What did he see when he looked into the mirror Friday morning? He saw the kind of pin-headed brute who kicks a dog and laughs. Such boobs would be pitiful but for their ability to injure others.

If this trashy man should be identified and tried, he would—guilty though he is—expect a fair and impartial trial, and whine if he didn't get it. But he would be too much of a boob then to comprehend that Anglo-Saxon justice was evolved through centuries of experiment to prevent just such outrages as he committed against his defenseless, innocent colored neighbor.

To act with a mob a man must be two things—vicious and a boob.—(Montgomery Advertiser.)

False Kidnaping Rumor Rouses Mob To Shoot Negro Aiding White Child

BRUNDIDGE, Ala., June 21—(INS)—A rumor that he had kidnapped a white woman resulted Thursday in a gunshot wound for a Brundidge Negro.

Constitution

Forrest Jones was shot in the hand by a mob which started looking for him on the basis of a rumor that he had been to the home of Mrs. John Knight and forced her to drive away with him in her car.

Fri, 6-22-51

Mrs. Knight squashed the false story and secured Jones' release from jail. She said she had asked him to accompany her to the doctor's office with her child.

Atlanta, Ga

On the way, Mrs. Knight was involved in an auto accident. Jones took the child on to the doctor and then returned to his home. He was shot when he ran as the mob collected at his home later.

No one could explain how the kidnaping rumor got started.

Mob Acts On Rumor, Shoots Samaritan For Good Deed

Defender Sat. 6-30-51 - Chicago, Ill.

27j Ala

BRUNDIDGE, Ala. — Forrest Jones last week rushed a white woman's injured infant to a doctor's office following an auto accident, told the physician to "charge the bill to me," and received, in return, a load of buckshot in his hand from a mob bent on lynching him.

The Good Samaritan a 35-year-old farm owner had hitch-hiked a ride with Mrs. John Knight who was driving to town with her baby and her brother's three-year-old son. She wrecked the car, bringing injury to her baby and splattering blood over the windshield. Immediately after Jones carried the injured baby to the doctor's office, rumors began spreading that "a Negro has kidnapped a white woman". A mob of farmers formed and when they found the blood soaked automobile they headed for the Jones farm found him away but waited.

The Good Samaritan returned home and found the armed mob waiting for him. He fled. The farmers opened fire and a load of buckshot caught him in the hand.

Before Mrs. Knight scotched the wild report that she had been kidnapped officers took Jones to the county jail in Troy for safekeeping. Jailer W. W. Skidmore said officers brought him and "left without saying anything to me, except to hold him while they investigated further."

Back in Brundidge, City Clerk William Watson said, "Somebody made a mistake."

Lost Woman Hunt Lynching Averted

Post Herald

Angered By False Report Of Finding

BY MARTIN WALDRON

The weary five-day-long search for missing Mrs. Ann Bragg on Double Oak Mountain almost exploded into a lynching yesterday as

bone-tired searchers became incensed at a false report that the great-grandmother had been found dead.

P.H. Fri. 12-7-51

The searchers lost their tempers at the bearer of the false news and sent a man for a rope to hang the man. But someone called highway patrolmen who were directing traffic nearby, and the officers broke up the group of angry men.

"They really were furious at the man who spread the story that Mrs. Bragg had been found," a patrolman said.

Birmingham

The unnamed story spreader told a gory tale of double murder by moonshine makers two ridges over from the scene of the search.

He said that one of the searchers had been murdered by moonshine makers when he uncovered a new grave containing Mrs. Bragg's body.

When other searchers asked him to lead them to the murdered volunteer and Mrs. Bragg, the man demurred, saying he wouldn't go back "for $5000."

27j

However, he later took them to the place, where the searchers found a mountain woman in "a trance."

Had A Vision

The news bearer then told the searchers that the woman had told him she "had a vision" during an earlier trance.

Ala

The searchers then attempted to question the woman, but she remained in a trance during the entire time the men were there.

Then the searchers, tempers taut from long weary hours in rain and wild and wooded country, exploded their wrath on the unfortunate teller of tales.

"He was lucky to escape alive and unhurt," said an officer later. "Those men were really furious."

Other than this bizarre turn, yesterday's search for the 76-year-old woman missing since Sunday proceeded along more or nless normal lines.

Post Herald

Sheriff A. E. Norwood received a report from Anniston that a woman there had ridden by a Mrs. Bragg on a bus this week, and that the woman answered the description of the missing woman.

Fri 12-7-51

Sheriff Norwood sent Ernest Bragg, a son of the missing woman, to Anniston by Highway Patrol car to talk to the woman. But the sheriff said he held little hope that the clue would lead to Mrs. Bragg.

Sheriff Norfwood said he feared that Mrs. Bragg might have been killed or abducted.

The elderly woman disappeared Sunday morning on a narrow mountain trail while going from the house of a daughter to that of a son.

No trace of her has been seen since.

8363

Posse Scours Desert For Slain Man's Wife

RIVERSIDE, Cal., March 27 (AP)—Sheriff's possemen in planes and autos, afoot and on horseback, combed an isolated desert wasteland today for a young mother whose husband was found slain on a roadside with their baby cooing unharmed nearby.

The question, more than 24 hours after the murder, was: Is Mrs. Doris Trask Cook still alive?

Authorities said they couldn't give up hope until they actually found her dead. The girl's mother, Mrs. Doris Trask, said she feared the worst.

Post-Herald

"Nothing could have made her leave the baby," said Mrs. Trask.

Motorist Spots Body

The body of Richard M. Cook, 18, maintenance man employed by a Maywood, Cal., aluminum plant, was spotted yesterday by a motorist on remote Lake Mathews Road, 10 miles south of here. A .45 caliber steel-jacketed slug had pierced Cook's chest.

Wed 3-28-51

The couple's eight-months-old son, Philip, was playing happily on a pink blanket near the body.

Sheriff's Captain Don Schrader said questioning of Sgt. Lawrence J. Walker, 20, Negro, of March Air Force Base here, is continuing.

Walker, held on a technical charge of carrying a concealed weapon, was arrested with a .45 caliber automatic in his possession. Schrader said bumper bolts found at the scene of the tragedy matched those on Walker's car.

Birmingham Ala

The search party, directed from the air by two planes of the sheriff's aero squadron, is looking for pretty Mrs. Cook, 18, in a harsh land of gravelly, sage-covered hills and steep rain-washed ravines.

Green Sweater, Red Skirt

It was hoped that the missing mother's green sweater and red corduroy skirt would make the search easier.

The Cooks were taking a little-traveled shortcut home from a visit to their parents, Mr. and Mrs. Harold Cook, of nearby Nuevo, when their car was apparently forced off the road by another.

There were skid marks on the road and Cook's car had a dented and torn left fender.

Sgt. Walker was arrested yesterday after officers noted his tan automobile bore traces of green paint o nits crumpled right fender. Cook's car was painted green.

AP

SUSPECT — Officers say clues found at the scene link Sgt. Lawrence J. Walker, 20, a Negro stationed at March Air Force Base in Riverside, Calif., to the slaying.

Mrs. Cook's father, Clarence Trask, said the couple was married two years ago when they were high school seniors.

"They were a happy couple and lived quietly, devoted to their home and son," he said. "Only last week they bought $800 worth of furniture for their home."

Wasteland Combed for Wife After Husband Found Dead

Times-Picayune

(The Associated Press)

Riverside, Calif., March 27—Sheriff's possemen in planes and autos, afoot and on horseback, combed an isolated desert wasteland Tuesday for a young mother whose husband was found slain on a roadside with their baby cooing unharmed nearby.

The question, more than 24 hours after the murder, was: Is Mrs. Doris Trask Cook still alive?

Times Picayune

Authorities said they would not give up hope until they actually found her dead. The girl's mother, Mrs. Doris Trask, said she feared the worst.

"Nothing could have made her leave the baby," said Mrs. Trask.

Wed, 3-28-51

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New Orleans La.

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Searchers find body of missing woman in California quarry

RIVERSIDE, Calif., March 28—(AP)—Deep in a quarry, searchers today found the body of 18-year-old Doris Cook, whose husband was shot and killed on a lonely highway two days ago.

News

It ended a desperate search by scores of deputies and citizens, started when Richard Cook's body was found beside his wrecked car, their eight-months old baby playing happily on a blanket.

An air and land hunt had been going on since

Wed. 3.28-51

THE ABANDONED rock quarry is near Lake Matthews, within four miles of the spot where Cook was killed.

Picture On Page 2

Sheriff's officers had no immediate information on how the pretty young mother was killed.

In custody is a 20-year-old Negro Air Force sergeant, Lawrence J. Walker. Chief Criminal Deputy Sheriff W. W. Walrath announced last night that Walker, after hours of questioning, had acknowledged that his car sideswiped Cook's on the highway Monday afternoon.

Walker was in the party which found the body. He had been taken from jail by deputies earlier today to go over the territory where Mrs. Cook had vanished.

Birmingham Ala

Walrath said Walker had insisted he kept going after the accident with Cook's car.

Bumper bolts found at the scene matched those on Walker's car, officers said, adding that Walker had a .45 caliber automatic on him when arrested. Walrath said Cook may have been killed with a .45 caliber bullet, but not necessarily so. The soldier is being held during questioning on a charge of carrying a concealed weapon.

Walrath said a ballistics check on Walker's gun is impossible because the slugs that felled Cook passed through his body. Searchers combed the ground with a mine detector this morning but couldn't find the bullets.

'MOB ACTION' SIGNS FOUND BY POLICE

Times

Warnings on Streets Menace Slaying Suspect

Picayune

(International News Service)

Riverside, Calif., April 1—Signs threatening mob action against Sgt. Lawrence Walker, 20, suspected of the slaying of 18-year-old Doris and Richard Cook, were found by police at dawn Saturday on Riverside streets.

Special precautions were ordered by authorities and the signs, reading "Kill Walker" and "Let Walker Die," were hastily removed.

Mon 4-2-51

Guards at the county jail where Walker is held were reinforced and police began searching automobiles in the downtown section for weapons.

Possibly Prank

A police official said:

"This is the worst thing that could have happened. We hope it was only a hoodlum prank."

The Cooks were murdered five days ago and their 8-month-old baby was found unharmed beside the father's body on the Cajalco rd. Walker was arrested when he was identified as the driver of a car which sideswiped the Cooks' automobile.

New Orleans La

While investigating teams sought to attack the alibi of the Air Force sergeant, friends Saturday rallied in his defense.

The Rev. L. B. Moss, pastor of a Negro Baptist church in Riverside, said that the National Association for the Advancement of Colored People will hold a mass meeting in his church on Sunday.

4-2-51

He said the purpose of the meeting "will be to raise funds for an investigation into Walker's case to determine if the NAACP wants to come to his defense."

One Witness

Walker's story, supported by at least one witness, is that he lunched at March Air Force Base after sideswiping Cook's car. He said he did not stop because he did not have a driver's license.

Meanwhile, three items of physical evidence were being sought by Riverside county sheriff's deputies. They are trying to find Mrs. Cook's purse; an infant's bag con- a civilian sportshirt and slacks reportedly worn by Walker Monday morning. When arrested he was attired in a neat uniform.

27j 1951

8364

Farmer, Son Flee Home

Afro-American

Dat. 5-5-51

Appeal to Justice Dept. for Protection

Baltimore

WASHINGTON

A 50-year-old Florida farmer and his 25-year-old son, who were brutally beaten and forced to flee from their 30-acre farm near Greensboro, Fla., on April 14 with a band of white hoodlums hot on their heels, fruitlessly sought the assistance of the Justice Department officials, this week.

27j

The farmer, James Gallon, whose badly battered head was swathed in bandages, told local NAACP officials about the incident that led to his flight and that of his son, James Jr., from Florida.

Fla

According to Mr. Gallon's story, he had been doing business with the Fletcher Company, a farm implement and fertilizer store in Greensboro for some 30 years.

During the past year, he claimed, he had reduced a debt of $2,500 to $708.05. However, this year, the proprietor, Bertel Fletcher, white, wanted him to sign a mortgage on his farm for the remaining debt.

Objected to Clauses

Mr. Gallon stated that he objected to several clauses in the contract, which would force him to forfeit everything that he owned, if he was unable to meet the payments.

As a result of the refusal, a heated verbal exchange ensued.

Fletcher called in about 25 white men, who were in the back room for assistance.

The white men armed with pick axe sand clubs proceeded to attack the farmer and his son. Fortunately, the pair was able to fight their way out of the melee, badly battered and bleeding profusely.

Informed Family

They got into their truck and headed for Bainbridge, Ga., where a physician treated their wounds. From there they doubled back to their farm where they told their family to disperse to homes of relatives or friends.

After passing the word on to their family they proceeded to Tallahassee, where they reported the incident to officials of Florida A. & M. College.

From Tallahassee they went to Thomasville, Ga., the home of James Jr.'s wife's parents. From the Georgia town they caught a bus and headed North.

Stopped at Raleigh, N.C.

They stopped at Raleigh, N.C., where Herman Taylor, an attorney, got in touch with NAACP officials in Washington after hearing their story.

They arrived in Washington last Thursday to relate the details of the experience to Earle Fisher, research assistant in the Washington bureau of the NAACP.

Lodging for the pair was secured at the Twelfth Street YMCA by the NAACP and a job was obtained for them with the Ace Wrecking Co.

Contact Justice Department

At the same time, the NAACP's local legal representative, Frank Reeves, went to the Justice Department to report the case.

However, Mr. Reeves was told by a Justice Department employee that nothing could be done for Mr. Gallon on a Federal level because their situation did not involve any police officials nor was it an interstate case.

It was suggested that the farmer file a complaint with the State officials in Florida. However, he declared that he was not interested in returning South unless he could be guaranteed Federal protection.

Farm Covers 30 Acres

Mr. Gallon told the AFRO that his farm covered 30 acres. This year, he said that only three and a half acres were under cultivation for shade tobacco.

He was working cooperatively with a neighbor, he claimed, in producing corn on a 50-acre farm and was also employed in a Tallahassee factory.

He has nine children. They are Freddie, 23; James Jr., 25; Verdel, 21; Hattie Ruth, 16; Ivory, 14; Wash, 12 Carrie, 10 David, 7 and Margie Mae, 4.

Mr. Gallon said that he had not heard from his family since he left Greensboro, April 14.

Greensboro is located in the northwest corner of Florida about 30 miles from Tallahassee.

The AFRO learned that Harry Moore, executive secretary of the Fla. State Conference of NAACP branches, plans to bring the incident to the attention of the governor.

Florida

They Tell of Escape From Florida Mob

Afro-American Dat

5-5-51

Baltimore, Md.

27j

Fed

Above picture shows James Gallon of Greensboro, Florida, and his son James Jr., a Navy veteran telling Earle W. Fisher, research assistant in th Washington Bureau, NAACP how they barely escaped with their lives after a severe beating with ax handles by a Florida mob. The beating grew out of a dispute with a white Florida store owner about a debt. The Washington Bureau arranged housing for Mr. Gallon and his son at the YMCA and also obtained employment for them in Washington.

Say 'Night Riders' Killed Florida Man

Call Dec 14-51

OAKLAND, Fla.—(INS)—Oakland police Tuesday sought to track down an anonymous tip informing them that the fatal beating of a youthful Negro was administered by "night riders."

The man, 27-year-old Melvin Womack, died Saturday at Orlando hospital. His body was found Thursday in an Orange grove near Oakland. There were bruises on his head and a small puncture under his left arm.

His landlady reported that four white men came to his room Wednesday night and forced Mack to go with them. Sheriff Dave Starr said that "everyone claims Womack was well-behaved and had no known enemies." He said no motive for the crime has been discovered.

27A

A full investigation of the fatal beating was promised by State Attorney Murray Sams. Sams said someone from the state attorney's office wouuld attend a coroner's inquest later in the week.

27j 1951

Florida

8370

Whites Gang Up on Pair

Father and Son Beaten in Fla.

Courier Sat-4-21-31

Pittsburgh, Pa.

Argument Over Bad Debt Flares Into Bloody Ruckus

27j

By CHARLES J. SMITH

Fla-

GREENSBORO, Fla.—An argument over a bad debt caused a small uproar here Saturday and resulted in a gang of some thirty to forty white men beating up two Negroes so badly that a doctor had to sew the pair up. James T. Gallon and his son, James Jr., Negroes, were savagely beaten in an incident arising out of the bad debt and a note covering it.

The incident took place in a commissary owned by Bert Fletcher and his son, Edwin, both white, about 9:30 Saturday morning, and was started by a disagreement between the senior Gallon and Mr. Fletcher over the signing of a note.

OBJECTED TO TERMS

Mr. Gallon had gone to the commissary at Fletcher's request. Fletcher specializes in the sale of fertilizer and farm equipment, and had sent for Gallon concerning the debt which Gallon owed the commissary. While terms of the adjustment were being drawn up, Gallon objected to some of the items on the bill and asked that they be removed from the statement.

27j

When Fletcher refused to remove the disputed items, the elder Gallon refused to sign the note and started to walk off. At that point, Edwin Fletcher, son of the commissary owner, allegedly met Gallon in the doorway and struck Gallon also, it was reported, and the ruckus became a general fight. Thirty to forty whites were present then.

SEWED THEM UP

The Gallons, senior and junior, finally escaped from the mob. Dr. W. L. Wilkinson rendered medical treatment to the pair, and signed a statement which read: "This is to certify that I sewed up James Gallon and James Gallon Jr. They paid me $25." He requested them to return for X-rays of the head.

27j 1951

Illinois

8365

PLANE DIRECTS POSSE HUNTING ESCAPED RAPIST

Tribune

Wed. 10-17-51

Marion, Ill., Oct. 16 [Special]—Aided by an airplane spotter, more than 25 policemen and farmers today hunted thru rough country near here for an escaped Iowa convict who had dodged bullets and deserted a companion in twice narrowly avoiding capture.

The fugitive is Frank Blacksher, 29, a convicted rapist who fled over a wall Friday night from the reformatory in Anamosa, Ia. His companion in the escape was John Carpentier, 17, who was serving a 10 year term for auto theft.

Carpentier was caught yesterday when Farmer George Vollpe came upon the two men sleeping in a wheat field on his farm, five miles south of Marion. Blacksher leaped up and fled but the younger man was so tired he was still sleeping when sherif's deputies, summoned by the farmer, arrived at the scene.

Fires at Fleeing Man

After lodging Carpentier in the Williamson county jail here, Chief Deputy Charles Edwards took to the air to hunt Blacksher. He saw a skulking figure around the old Illinois ordnance plant.

Returning to the Marion airport, the deputy got in his auto and drove to the government reservation. As he approached, a man fled from an old building and the officer fired several shots at him but apparently missed.

The hunt was resumed today with the additional aid of a dozen state patrolmen, more sherif's deputies, several policemen from nearby Herrin, and numerous farmers.

Many Places to Hide

The area in which Blacksher is belived hiding is wooded and hilly with many places for the fugitive to remain out of sight.

Blacksher, a resident of Gainsville, Mo., was serving a five year sentence for violating parole which had been granted after he had served a 10 year sentence for statutory rape.

Carpentier, who is from Denison, Ia., said the two stole a car in Anamosa, after climing the reformatory wall, and drove it to Kirksville, Mo., where they abandoned it and stole a second auto. The latter vehicle, owned by Dr. Grace Simmons of Kirksville, was found parked on a country road not far from the wheat field where the fugitives stopped for a nap.

27j 1951

Louisiana

8366

POSSE NABS MAN AT PONCHATOULA

27j

Fugitive Shot After Storekeeper Is Stabbed

La.

(Special to The Times-Picayune)

Ponchatoula, La., June 23—A Summit, Miss., Negro was shot down by a posse of sheriff's deputies and volunteers near here early Saturday after he allegedly stabbed a storekeeper Friday night.

Times Picayune

Identified as Irvin Woods, the Negro was shot in the right leg after he was found in a shack on the outskirts of Ponchatoula following an all-night search.

The store operator, Ellerie Lavigne, 50, was in Lallie Kemp Memorial hospital at Independence with knife wounds of the chest and back.

Sun 6-24-51

Tangipahoa police said Woods approached Lavigne Friday night as the latter was closing his store on the Madisonville hwy. about six miles east of here. They said Woods requested a ride to Weaver's store about a mile east of here but was refused by Lavigne who drove off to a third store about two miles away.

New Orleans La.

Woods then attempted to break into the Lavigne store, according to Mrs. Lavigne, who called her husband. Woods fled and caught a ride to Weaver's store where Lavigne arrived shortly afterwards.

Police said Lavigne grasped Woods by the arm and said, "Come here, boy, I want to talk to you." Woods whirled, Lavigne was stabbed once in the chest and twice in the back, and the Negro then ran into nearby woods.

Some 100 men gathered and bloodhounds obtained from East Baton Rouge parish tracked Woods, to the shack about 4 a. m. Deputies George McWilliams and Vincent Rispone said they fired at Woods when he attempted to flee the shack. Woods' leg was broken. He was taken to Charity hospital in New Orleans.

At Independence hospital doctors said they expected Lavigne to recover.

KILLING OF COWS STIRS UP STRIFE

Times-Picayune

Mob Forms as Man Shoots Herd in Garden

Mon. 8-6-51

Incensed because a herd of cows persisted in eating his flowers, a Lafitte resident opened up on them with a .38-caliber pistol late Saturday night.

When the smoke had cleared away, nine of the animals, owned by other Lafitte residents — lay dead, resulting in a near-riot among the townspeople, Jefferson parish authorities reported Sunday.

27j

New Orleans

The pistol-wielder, Jack Cochoria, 47, was rescued from his speedboat in a bayou near his home where he had sought refuge from a mob which had threatened him. He was placed under arrest for "shooting cows," and lodged in the Gretna jail, but was later released.

La

Jefferson parish deputy Sheriff Merlin J. Fayard said the trouble started about 10:30 p. m. Saturday when the cows wandered into Cochoria's yard and began to munch on his flowers.

Cochoria told Fayard that he had just transplanted the flowers at a cost of about $200 and "got tired of the cows eating them." He said he decided to put a stop to it.

Fayard said when he arrived at the scene, Cochoria was being held at bay in his speedboat by the mob. The deputy sheriff said he yelled at Cochoria that he was "under arrest" and ordered him to return to shore.

He said that Cochoria was still reluctant to leave his place of safety, requesting Fayard's assurance that "Those people are not going to jump me, are they?" Cochoria surrendered when he promised him safe conduct, Fayard said.

Definite ownership of the cows, valued at nearly $2000, has not been established, Fayard said. He said that while it is a custom to let cattle roam at large in Lafitte, he believes "maybe there is an ordinance against it."

27j 1951

Mississippi

8367

Posse Captures Alleged Slayer, 17

Courier

GREENWOOD, Miss. — (ANP) —A six-man posse closed in on 17-year-old Sylvester Lawrence, Sept. 11, in a soybean field near here and brought to an end an eight-day hunt for the accused slayer of a white filling station owner.

The father and grandfather of the accused, who were held on charges of helping the youth to escape, were released from jail shortly after his capture, the sheriff reported.

Sat. 9-22-51

Pittsburgh, Pa.

8368

HUGE SOUTH MISSISSIPPI POSSE RESUMES SEARCH FOR NEGRO KILLER

8368

BLOODHOUNDS AND POSSE JOIN IN THE HUNT FROM CHURCHYARD HEADQUARTERS

Pictured is a small portion of the volunteers who helped in the search as they received final briefing before setting out with bloodhounds to follow the trail of the Negro. (Staff photos by Jimmy Ward.)

50 Officers, 200 Volunteers Scour Woods And Roads For Negro Slayer Of Constable

27j

By JIMMY WARD

MAGEE — (Special) — An all-night search by one of the largest posses in South Mississippi in years was resumed Saturday morning for a Negro with mumps who shot and killed a constable and wounded the officer's brother with two gunshot blasts.

Daily News

The Negro, James V. Durr of the Skiffer community, killed Constable Bernice Herrington, 50, and seriously wounded Eugene Herrington, 47, in a backwoods, malodorous cabin about six miles west of here.

He was sought throughout the night by a posse that included 50 officers and 200 volunteers, armed with shotguns, pistols and rifles.

The constable was killed on his second visit to the Negro's cabin on Friday, the 13th. Herrington earlier in the day served a writ of replevin on the Negro for a wagon for which he owed J. R. Hemby a balance on the $90 transaction. The Negro protested, declaring he would neither pay the balance or yield the wagon unless his initial payments were refunded.

He resisted arrest and the constable returned to Magee and deputized his brother, Eugene, to assist him in bringing the Negro—described as "no good" by both white and colored—to jail.

As the Herrington brothers entered the Negro home, Durr was in bed suffering from mumps—so his wife said. He leaped from the bed and wrestled with the constable. Durr's pregnant wife attacked Eugene Herrington.

The white men succeeded in dragging the Negro to the front yard, according to the wounded man, and Durr escaped. He dashed back into the house and as Constable Herrington moved again on the house the Negro opened fire from close range and felled the officer.

Dut-4-14-51

The constable stumbled away four steps from the house and fell dead. His brother rushed up to get his gun and while bending over was hit by a blast from the Negro's shotgun.

He managed to walk one-half mile to the road and summon help. The shooting took place at about 10:30 a.m. Friday.

Simpson

After an inquest on the scene, the constable's body was taken to Mims-Mitchell Funeral Home where two papers for the arrest of Durr were found in his shirt pocket. The writs were sprayed with gunshot.

The manhunt was directed jointly by Colonel T. B. Birdsong of the Mississippi Highway Patrol and Sheriff Sam Johnson of Simpson county.

Sheriffs of several surrounding counties rushed to the area and gave assistance while the highway patrol threw up tight roadblocks in all highways and roads within a radius of 50 miles.

Three bloodhounds were brought into the search last night, [illegible] arriving from the Laurel police department and two others brought in from Poplarville.

The dogs were put on the trail where the Negro had been seen fleeing his home, leaving his pregnant wife at the home of his father.

A mobile trailer with radio transmitter from the state highway patrol was set up as a command post for "Operation Durr" in the churchyard of the Skiffer Negro Baptist church. Just before the trailer arrived, Col. Birdsong and Sheriff Johnson assembled over 100 armed volunteers into the church and briefed them on search plans as night fell. An hour later, an additional 100 citizens were at the scene patrolling all roads in cars, trucks and one bus was seen at one intersection.

The dogs roamed through underbrush, across fresh plowed fields and down wagon trails but failed to locate the Negro.

Among those following the dogs were three sons of the slain constable. They were Herbert and Cecil Herrington, both of Jackson, and Kelly Herrington of Magee. Another younger son, Ted, 12, also survives.

The command post which directed all volunteers and 18 highway patrol cars was in operation all night in front of the Negro church which was warped by a sparring tornado in 1931.

Among officers aiding in the manhunt were Chief of Police Wayne Valentine, Jeff Montgomery and Ellzey Drennan, all of Laurel; Sheriff B. L. Letchworth of Jeff Davis county; Sheriff Lawrence Crumpton of Smith county; Sheriff Robert C. Alexander of Jasper county; and B. F. Orr who brought two bloodhounds from Poplarville.

Funeral arangements for the slain officer have not been completed.

In addition to his four sons, he is survived by his widow.

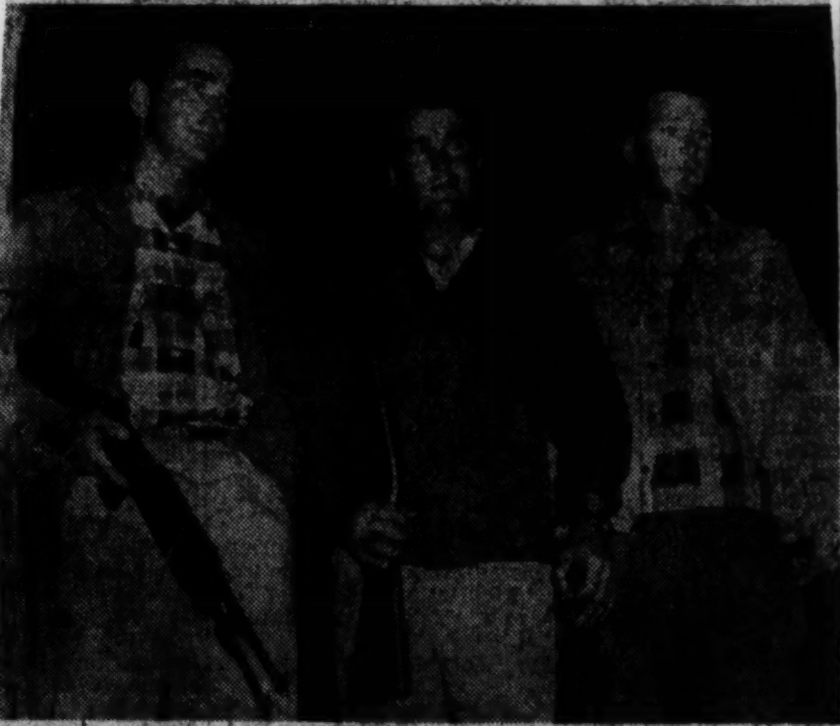
His sons of Jackson, Herbert and Cecil, are employed by the Southern Bell Telephone company and Western Electric respectively. The constable has several other relatives residing in Jackson, many of them present in the manhunt and fully-armed.

The posse was quiet and obeyed suggestions from officers.

SCENE OF KILLING AT NEGRO CABIN NEAR MAGEE

Pictured is the home of James V. Durr, Negro sought for the killing of a constable and wounding the officer's brother. C. J. Kees (left) and C. A. Cagle (right) stand at the spot where the constable's body was found.

CONSTABLE'S SONS WATCH THE DOGS



Three sons of the slain constable—two of them from Jackson—watch the bloodhounds as they picked up the Negro's trail by a barbed wire fence in the backwoods of Simpson county. Left to right are: Herbert (of Jackson), Kelly (of Magee), and Cecil (of Jackson) Herrington. The young men were armed.

OFFICERS ARREST DURR'S WIFE

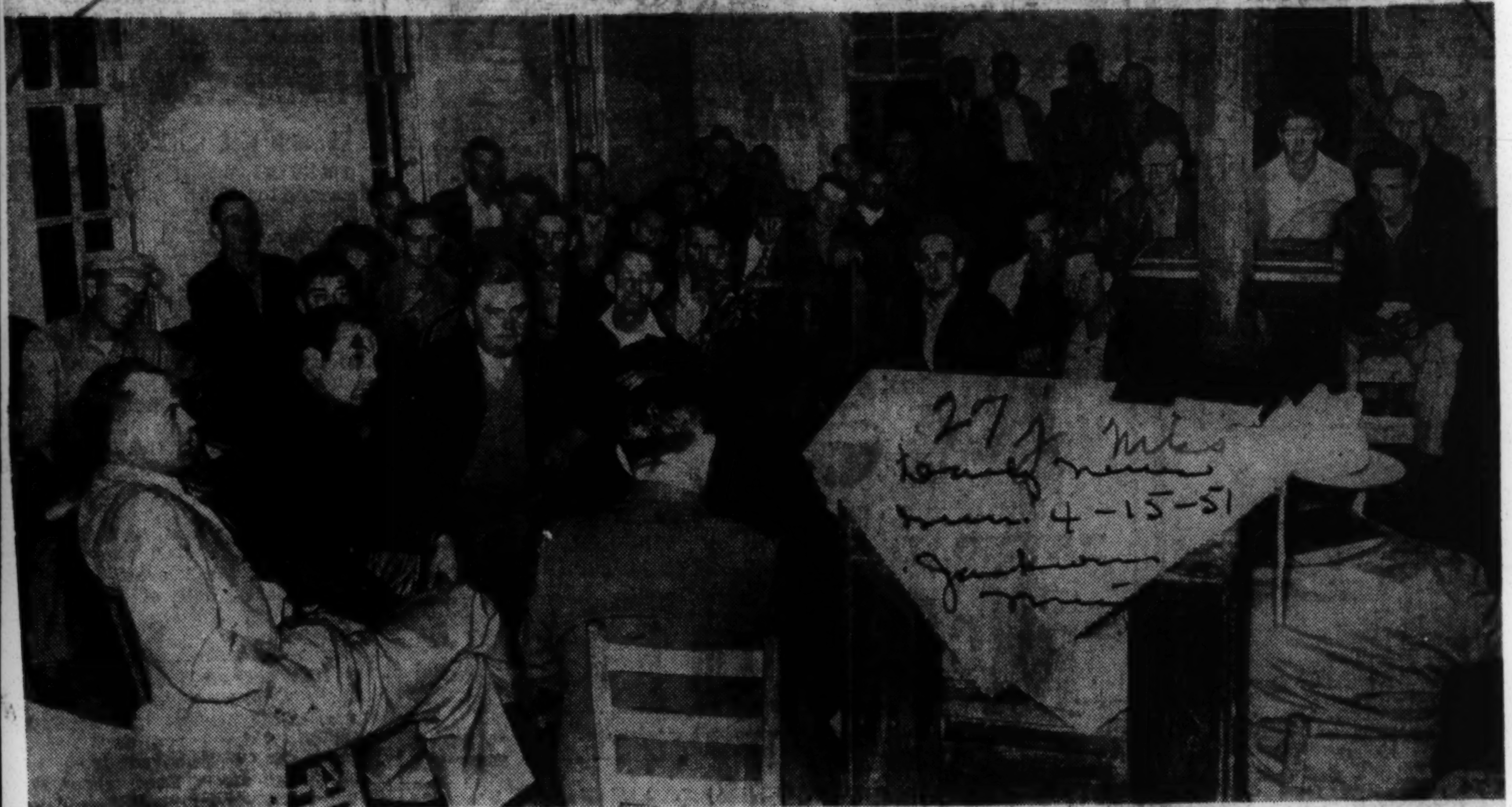
Daily News
Oct. 4 1955
Jackson, Miss.

The wife of James V. Durr is taken into custody by officers. She leaped on the back of one of the men and helped her husband in the slaying.

27j 1951 Mississippi

8369

ARMED POSSE GATHERS IN NEGRO CHURCH TO MAP STRATEGY IN MANHUNT


27j Miss

4-15-51

Jackson

Pictured is a portion of the crowd which gathered in the dimly lit Skiffer Negro Baptist church as they planned strategy for the search for James V. Durr, 24-year-old Simpson county Negro who shot and killed Bernice Herrington, constable, and wounded the officer's brother, Eugene Herrington on Friday. The manhunt continued Saturday. (Staff photo by Jimmy Ward).

250-Man Posse Continues Search For Negro Slayer; Rites Set For Constable

MAGEE — (Special) — Funeral services for Bernice Herrington, 50-year-old Simpson county constable who was killed by a Negro near here Friday, will be held at 3 p. m. Sunday from the Siloam Baptist church.

Rev. Guy Little, Rev. B. C. Windham, Rev. Ford Parker, and Rev. Homer Ainsworth will officiate at the services.

Interment will be in Siloam cemetery with Mitchell Funeral Home in charge of arrangements.

The constable is survived by his wife; and four sons, Herbert of Jackson, Kelly of Magee, Cecil of Jackson and Ted of Magee, and several brothers.

Meanwhile over 250 volunteer possemen and state and county patrolmen continued their search for James V. Durr wanted in the slaying of Herrington and the wounding of his brother, Eugene.

Simpson County Sheriff Sam Johnson said the shooting occurred at 10:30 a. m. Friday when the two Herrington men went to the Negro's home to serve a writ of replivin on him.

Constable Herrington earlier the same day had been to the home of the slayer, but was forced to leave without serving the warrant.

He had returned to Magee to deputize his brother, Eugene, to assist in the arrest.

The warrant was for non-payment on a farm wagon the Negro had purchased from one of his neighbors.

Sheriff Johnson said Eugene Herrington told him that when the two officers entered the Negro's home he was in bed suffering from the mumps.

Eugene said the stricken Negro jumped the constable while his pregnant wife fought him.

The constable and his brother pulled the Negro to the front yard but he broke loose and raced into his shabby home and returned with a shotgun.

The constable was killed with one blast from the weapon, and Eugene said he was wounded while bending over his brother in an attempt to get his gun.

Durr, armed with a shotgun and a .22 calibre pistol, then fled into the woods.

Eugene told officers he staggered to the road and hailed a passing automobile back to Magee to summon help.

More than 50 state highway patrolmen, several sheriffs from neighboring counties and about 200 volunteer workers, including three of the slain man's sons, met in the Negro church near the scene of the slaying and formed a posse under command of Col. T. B. Birdsong, Mississippi Public Safety Commissioner.

Highway patrolmen had set up roadblocks for 30 miles around the scene of the slaying and were using bloodhounds in an effort to track down the slayer.

The wanted Negro, classed as "no good" by both white persons and Negroes, was believed to have fled on foot over the damp, swampy country.

4-15-51

27j

MOB MEETS IN CHURCH TO MAP ITS STRATEGY

BY JAMES B. LaFOURCHE

MAGEE, Miss. —(ANP)— An all-white posse of 600 men Saturday night captured a Negro, accused of slaying a constable injuring his brother, after a search of more than half a day.

Daily World

The armed mob met in a Negro church, Skiffer Baptist, to map its strategy so that as one mobster put it, "this won't be another long-drawn-out Wille McGee case."

Victim of this manhunt was James V. Durr, 24, whom the Jackson Daily News often anti-Negro, said was "no good." He is accused of having fatally shot Constable Bernice Harrington, 50, and wounded the constable's brother, Eugene.

Miss.

Constable Harrington was buried in Magee, Sunday.

At the time of his capture, Durr was armed with a pocket knife. He had fled the white mob in the swamps although he was suffering from the measles.

According to Sheriff Sam Johnson, here is the story of the slaying:

Thurs. 4-19-51

Constable Harrington went to Durr's home to serve him with a legal paper demanding an alleged debt of $25 he owed for a wagon. Finding Durr sick in bed with the measles, the constable tried to take the wagon in place of the debt but Durr resisted.

Atlanta

Harrington then went home, allegedly deputized his brother, Eugene, then returned to Durr's home and entered the house. Then the fight was on.

Ga

Durr fought with the constable, and his pregnant wife fought with the brother. Some time during this scrap, gunfighting began. Durr blasted the constable, killing him with one shot. He then blasted Eugene when he tried to get the constable's gun from his body.

Durr then fled the scene, supposedly armed with a shot gun, a pistol and rifle. When he was captured he had only a small pocket knife.

When found, Durr had hidden in the trunk compartment of an automobile. He gave up without any resistance. He has been taken to an undisclosed jail for safekeeping.

The wounded Harrington is reported to have hitched a ride so he could summon help. The posse, said to be the largest ever raised in south Mississippi, was formed in a little church near Durr's home.

Included in this mob were three of the dead man's sons, 50 law enforcement officers from four nearby counties, and 36 state highway policemen. Col. T. B. Birdsong, called upon by Sherif Johnson, led the manhunt.

So tense was the situation at one time that every highway within a radius of 45 miles was blocked. Bloodhounds called in to aid in the capture lost the trail five miles from Durr's house. They were not used again during the search.

600-MAN MISSISSIPPI MOB HUNTS NEGRO ARMED ONLY WITH KNIFT

Sick Man Climbs Out of Bed to Attack Constable Who Wanted to Take His Wagon

HIGHWAYS BLOCKED FOR FIFTY MILES

By James B. LaFourche

MAGEE, Miss. — (ANP) — An all-white posse of 600 men Saturday night captured a Negro, accused of slaying a constable and injuring his brother, after a search of more than half a day.

The armed mob met in a Negro church, Skiffer Baptist, to map its strategy so that as one mobster put it, "this won't be another long-drawn-out Willie McGee case."

Victim of this manhunt was James V. Durr, 24, whom the Jackson Daily News, often anti-Negro, said was "no good." He is accused of having fatally shot Constable Bernice Harrington, 50, and wounded the constable brother, Eugene.

Constable Harrington was buried in Magee, Sunday.

At the time of his capture, Durr was armed only with a pocket knife. He had fled the white mob in the swamps although he was suffering from the measles.

According to Sheriff Sam Johnson, here is the story of the slaying:

Constable Harrington went to Durr's home to serve him with a legal paper demanding an alleged debt of $25 he owed for a wagon. Finding Durr sick in bed with the measles, the constable tried to take the wagon in place of the debt, but Durr resisted.

Harrington then went home, allegedly deputized his brother, Eugene, then returned to Durr's home and entered the house. Then the fight was on.

Durr fought with the constable, and his pregnant wife fought with the brother. Some time during this scrap, gunfighting began. Durr blasted the constable, killing him with one shot. He then blasted Eugene when he tried to get the constable's gun from his body.

Durr then fled the scene, supposedly armed with a shotgun, a pistol and rifle. When he was captured, he had only a small pocket knife.

When found, Durr had hidden in the trunk compartment of an automobile. He gave up with any resistance. He had been taken to an undisclosed jail for safekeeping.

The wounded Harrington is reported to have hitched a ride so he could summon help. The posse, said to be the largest ever raised in south Mississippi, was formed in a little church near Durr's home.

Included in this mob were three of the dead man's sons, 50 law enforcement officers from four nearby counties, and 36 state highway policemen. Col. T. B. Birdsong, called upon by Sheriff Johnson, led the manhunt.

So tense was the situation at one time that every highway within a radius of 45 miles was blocked. Bloodhounds called in to aid in the capture lost the trail five miles from Durr's house. They were not used again during the search.

The posse of 600 men combed more than a 225 square mile area. Not more than 200 to 250, however, took part at a time. Most of the men were from the hilly piney woods and back county of Magee.

This case reminds many Negroes of a similar case that occurred 15 years ago in Louisiana. Then, a crippled Negro farmer, Huge Pierre, was likewise served with a warrant for having in his possession an old rusty plow which he found on a Mississippi river levee.

Pierre resisted the intrusion of the constable and downed him with a shotgun blast. The case dangled for years with several U. S. Supreme court decisions in the Negro's favor. The little Lucy farmer eventually was hanged, however, but he cost St. James Parish a lot of money.

The Durr case, too, may bring something to light. It might have been a case of self defense. Who knows?

27j 1951

Mississ ippi

8371

250 possemen hunt for slayer

MAGEE, Miss., April 14—(AP)—About 250 possemen searched for the second straight night for a Negro, armed with a shotgun, rifle and pistol, wanted for killing a constable.

News

Constable Bernice Herrington was killed and his brother, Eugene, was wounded Friday when the constable tried to serve the Negro with a legal paper seizing a wagon on which the Negro owed about $25.

Sheriff Sam Johnson identified the Negro as James V. Durr, 24.

4-15-51

The posse, one of the largest ever raised in a South Mississippi manhaunt, is comprised of 200 volunteers and 50 law enforcement officers from four counties including 36 state highway patrolmen

Armed with shotguns, rifles and pistols and aided by three baying bloodhounds, possemen scoured a 10 square mile area in the Skiffer community section six miles west of Magee and 45 miles south of Jackson, Miss.

Miss. Mob of 600 Captures Suspect

27j

MAGEE, Miss. (ANP)—An all-white posse of 600 men Saturday night captured a man accused of slaying a constable and injuring his brother, after a search of more than half a day. The armed mob met in a colored church, Skiffer Baptist to map its strategy so that as one obster put it, "this won't be another long-drawn-out Willie McGee case."

Victim of this manhunt was James V. Durr, 24, who the Jackson Daily News, often anti-colored, said was "no good." He is accused of having fatally shot Constable Bernice Harrington, 50, and wounded the constable's brother, Eugene.

Suffering From Measles

At the time of his capture, Durr was armed only with a pocket knife. He had fled the white mob in the swamps although he was suffering from the measles. Sheriff Sam Johnson says that

Harrington went to Durr's home to serve him with a legal paper demanding an alleged debt of $25 he owed for a wagon. Finding Durr sick in bed with the measles, the constable tried to take the wagon in place of the debt, but Durr resisted. Harrington went home, deputized his brother, Eugene, then returned to Durr's home.

Durr fought with the constable and his pregnant wife fought with the brother. During this scrap, gunfire began and Durr blasted the constable, killing him with one shot. He then blasted Eugene when he tried to get the constable's gun from his body.

Hid in Car Trunk

Durr then fled the scene. When found, Durr had hidden in the trunk compartment of an automobile. He gave up without any resistance. He has been taken to an undisclosed jail for safekeeping.

The wounded Harrington summoned help. The posse, said to be the largest ever raised in Mississippi, wa formed in a little church near Durr's home. So tense was the situation at one time that every highway within a radius of 45 miles was blocked.

NINE star 1200 Jam Forum no 4

BOSTON — More than 700 were turned away from Jordan Hall recently where 1200 jammed the aisles and all seats to hear Dr. Ralph J. Bunche of the United Nations, speak and answer questions when he was guest speaker at the famous Ford Hall Forum.

Early in his talk, Dr. Bunche emphaszed that because he was active in U.N. affairs, he would be unable to comment on President Truman's recalling of General MacArthur.

"But as an American," he said "let me express my hope that in the violence of partisan debate on this issue, we do not permit ourselves to forget the heroic and heartbreaking sacrifices the United Nations in Korea are making for us.

"They are fighting there for you and me."

No Warlike People

He also pointed out that "there are no warlike people in the world today, in spite of the policies of some of their leaders." He said he did not mean by this that there was no possibility of a war break-

nor D. W. Hoggard, authors of the Republican and Democratic bills, respectively, has launched any open attack in behalf of their measures.

Likewise, the colored legislators have played "shut mouth" on the "loyalty" bills before the House which are being attacked by liberal groups in State metropolitan areas.

Posse Captures Negro Youth

GREENWOOD, Miss.—(ANP)—A six man posse closed in on 17-year-old Sylvester Lawrence, September 11, in a soybean field near here and brought to an end a eight-day hunt for the accused slayer of a white filling station owner.

27j

Daily News

Deputy Sheriff W. A. Sh[illegible] said the youthful Negro surrendered when cornered and was brought to the county jail here. Charges, according to Sheriff E. P. Stratton will be filed later.

9-18-51

The slain man, James E. Brewer, is said to have been cut down by a shot gun blast as he closed his service station Sunday night, September 2. He was shot in the arm, neck and shoulder. The accused said that he threw the shotgun into the Tallahatchio river.

Lawrence was captured near the boundary between the plantation on which he lived and worked and an adjoining plantation, the officers stated.

The [illegible] father of the accused, who [illegible] held on charges of helping the youth to escape, were released from jail shortly after his capture, the sheriff reported.

27j 1951

Pennsylvania

8372

Posse Nabs Hitchhiker In Socialite Slaying

Telegram Sun

Special to World-Telegram and Sun.

SOMERSET, Pa., May 2.—Clayton Allen Terhune, 28, of Paterson, N. J., was arrested here today by state police who said he confessed the robbery and slaying of a socially prominent Downingtown architect in a tourist cabin.

5-3-51

Terhune, who said he was released from the Trenton State Penitentiary March 17, was arrested this morning as he emerged from a heavily wooded area where he had been pinned down all night by a posse of state police, sheriff's deputies and nearby residents.

State police said that Clayton F. Jenkins of Downingtown picked up Terhune, who was hitchhiking. They checked into the Emerald Park tourist camp near here. Terhune told police the architect made improper advances. He said he struck Jenkins on the head with a rock and slashed him with his own pocketknife. Then, police said, he stole Jenkins' wallet and fled.

27j 1951

Tennessee

8374

AMBUSH KILLING IN TENNESSEE STUMPS SHERIF

27J

Benton, Tenn., May 12 [Special] —Polk county today was quiet, if somewhat uneasy, after the ambush slaying last night of W. August Lewis, 44, Democratic chief who had led an attempt to wrest the county government from the elected bipartisan Good Government league.

Tribune

No arrests have been made and Sherif John Edwards, a G. G. L. man and bitter foe of Lewis, said he has no suspects. The slaying was not unexpected, for the hillbilly residents of this southeastern corner of Tennessee have a tendency to settle disputes, personal or political, by drastic means.

Only Wednesday Lewis, chairman pro tem of the nonjudicial county court [county board] told a reporter, "Somebody's going to get killed before that dispute is straightened out."

5/13/51

Slain Outside Home

And last night, while giving a pint of his blood to a hospital patient in Cleveland, Tenn., he told his wife, Ruth: "I'm going to give my blood. I might need some myself sometime."

A few hours later, as he walked alone from his garage to his cottage, he was felled by three shotgun bzlasts fired from a clump of bushes. Lewis stumbled on into his house, said he had not seen the killers [authorities believe there were two], and died.

The three shots wiped out the Democratic majority on the county court, leaving it split 4 to 4 between Democrats and the G. G. L.

Mobs Block Meetings

That was its status last February when the Democratic state legislature abolished the elected G. G. L. county commission, gave its administrative powers to the court, and packed the court with a nonelective "squire," Democrat Cass Rogers.

Thereafter Lewis tried four times to convene the court and thus take over the county government. And four times G. G. L. armed mobs of mountaineers blocked him. He had scheduled a fifth attempt for Tuesday.

Both factions blamed politics for Lewis' murder, and County Democratic Chairman Leach Park bespoke the anger aroused in his faction when he said, "They are going to pay for this."

DEMOCRATS FAIL TO SHOW UP IN TENNESSEE FEUD

Their Majority Is Cut by Ambush Killing

Benton, Tenn., May 15 [Special] —The Polk county feud between Democrats and a bipartisan Good Government league, which has kept county government at a standstill for the last three months, brought a boycott of the Polk county court today by its four surviving Democratic members.

Tribune

This new impasse developed when the four G. G. L. members of the court walked into the courthouse and found themselves unable to hold a meeting for lack of a quorum.

Wed 5/16/51

This was the fifth time since mid-February that the court has tried to meet. G. G. L. supporters blocked previous attempts by force. On these occasions the court had nine members and Democrats were in a majority by five to four. This majority disappeared Friday with the ambush slaying of W. A. Lewis of Benton, court chairman and a Democrat.

Welcome Sign Out

The welcome sign for Democrats was figuratively hanging on the courthouse door today, contrasting with previous meeting days when scores of G. G. L. adherents milled around the building threatening violence if the Democrats tried to enter.

27J

The depleted Democratic court membership's stalemate strategy became apparent early in the day. Sherif John Edwards, a G. G. L. man, threw courtroom doors open at 10 a.m. The four G. G. L. members, A. L. Dalton, L. L. Kimsey, Joe B. Mayfield, and J. B. Newman, took their seats.

"We can't meet without a quorum," Dalton remarked an hour later. His colleagues agreed and decided to go home. They set July 2 as date for the next attempt at a meeting.

County officials said the court vacancy caused by the death of Lewis can be filled only by a special election. No such election can be held until the court names an election commission.

Sherif Lacks Evidence

Sherif Edwards said he is without evidence regarding the identity of the person or persons who killed Lewis. He said R. Beecher Witt of Madisonville, circuit attorney general, has entered the investigation of the slaying. Gov. Gordon Browning has posted a $5,000 reward for arrest and conviction of the slayer or slayers.

Polk county's governmental hiatus began in February when the state legislature passed a series of so-called ripper bills stripping power from a county commission controled by the G. G. L. and transferring this power to the court. Teachers and county officials have gone unpaid and road maintenance has been halted.

8375

Posse Ends Man's Trip Home To Carolina in Stolen Bus

Chase of Vehicle and Lone Occupant Starts In Falls Church and Ends in Arlington

27j Va

A posse from Falls Church, Va., last night rounded up a man who stole a Trailways bus to "go home to Carolina" after a wild chase through the towns and in Arlington.

The chase ended when Policeman William Fletcher of Falls Church and his informal posse forced the speeding 37-passenger vehicle off the road on Lee boulevard near Buckingham community. Six automobiles, in addition to the police car, took part in the roundup.

The man at the wheel of the bus was identified as [illegible] Aaron Day, 24, colored, of the [illegible] block of Meade street N.E.

Mr. Fletcher said Day seemed to be in a daze and said he "wanted to go home to Carolina." He said he was from Durham, N. C., the policeman added.

Arlington police charged Day with possession of stolen property and held him for Washington police. The bus was taken from the Trailways Co. parking lot in the 900 block of G place N.W. sometime before the chase began but bus company officials knew nothing about it until it was all over.

The whole thing started at 10:30 p.m. at the gas station of Joel Harris, at Lee highway and Annandale road, Falls Church. Mr. Harris said he had just closed up for the night and walked into his office when his wife, Isabel, told him a Trailways bus had come into the station.

Mr. Harris went outside and found the bus had run into the island where the pumps stand, knocking off some concrete and pushing over a steel guard post.

"The driver did nothing, said nothing," Mr. Harris said. "He just sat there."

27j

William Reeves, the station night manager, went around to the driver's side just as the driver started up again. Mr. Reeves said he had to jump to avoid being hit, but he threw a pint of chocolate ice cream through the window, hitting the driver squarely in the face.

Post. 5-3-51

As the bus drove off Mr. Fletcher arrived in a police car, headed for the police station, 200 yards away. When he was told what had happened he started off in pursuit and the posse quickly formed behind him.

Washington police said the bus was chartered by the North Carolina A. & T. College baseball team which arrived yesterday to play a game with Howard University. The team went on to Dover, Del., today for another game—but in another bus.

Rape Suspect, In Handcuffs, Shot to Death

27j

Post

Dec. 12-4-51

SOUTH BOSTON, Va., Dec. 3 (AP).—Manacled to two deputy sheriffs, a suspect in a rape case here was shot to death at the scene of his alleged crime this afternoon.

p. 13

Tommy Harris was accused of raping a 15-year-old girl. Both he and the girl are Negroes.

Deputy Sheriff George Satterfield said he and Deputy Luther Matthews took Harris from jail to the scene of the rape in the hope of recovering the girl's clothing.

Satterfield said while they were searching, three shots rang out and Harris—still handcuffed—fell dead with three .22-caliber rifle bullets through the back.

Police started immediately to search for the assassin.

Mob Besieging Officer Is Routed

Cafe Stormed In Virginia

27j

By The Associated Press

Colonial Beach, Va., Sept. 2.—A mob estimated at 500 persons was routed by authorities here early today after threatening the life of a town policeman at this Potomac River resort.

Va

The belligerent crowd, angered by alleged mistreatment of a prisoner by Patrolman Charles White, laid siege to a water-front restaurant for more than an hour before police reinforcements arrived.

White and a special policeman, R. E. Ritter, held off the throng with pistols after it had battered down the door of the Mayflower Restaurant to try to "get" the patrolman.

Mon 9-3-51

White and Ritter had gone to the Mayflower about midnight in response to a telephone call reporting trouble there.

Ritter said a fist fight had been in progress at the restaurant and that White had to use his blackjack to place Rogers J. Roberts, Washington, D. C., under arrest.

Roberts was knocked unconscious by the blow and suffered scalp wounds. Ritter said a "menacing crowd" began gathering outside the restaurant and soon "got all worked up and started shouting threats at White."

Ritter and White barricaded themselves in the building and called police for help. Police put out a general alarm that eventually brought officers from State police headquarters in Richmond, the County sheriff's office, and police departments in Fredericksburg and Montross. Military police were sent from A. P. Hill Military Reservation.

Both Roberts and his brother Everett were taken in custody. Rogers Roberts was charged with assault and battery against White and with using abusive language. Ritter said he did not know on what charges Everett Roberts was arrested.

Both were released on bond.

Angered by Arrest of D. C. Men

Colonial Beach Mob of 500 Besieges Police in Restaurant

Post Mon. 9-3-51

COLONIAL BEACH, Va., Sept. 2 (AP).—A brawling mob estimated at 500 persons was routed by authorities here early today after threatening the life of a town policeman at this Potomac River resort.

Arlington

The belligerent crowd, angered by alleged mistreatment of a Washington, D. C., prisoner by Patrolman Charles White, laid siege to a wterfront restaurant for an hour before police reinforcements arrived

White and a special policeman, R E. Ritter, held the throng at bay with pistols after it had battered down the door of the Mayflower Restaurant in an effort to "get" the patrolman.

White and Ritter had gone to the restaurant to stop a fist fight and Ritter said White found it necessary to use his blackjack to subdue Rogers J. Roberts, of Washington

Roberts was knocked unconscious and suffered scalp wounds. Ritter said a "menacing crowd" congregated and soon "got all worked up and started shouting threats at White."

27j

Ritter and White barricaded themselves and called for help. Police put out a general alarm which eventually brought State Police from Richmond, deputies from the Sheriff's office, police from Fredericksburg and Montross, and Military Police from nearby A. P. Hill Military Reservation.

Roberts and his brother, identified as Everett Roberts were held. Rogers Roberts was charged with assault and battery against White and with using abusive language.